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**The Spatial Ordering of Community
in English Church Seating, c.1550-
1700**

by

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**A thesis submitted in partial fulfilment of the requirements for
the degree of Doctor of Philosophy in History**

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Declaration

This thesis incorporates work already submitted for my Masters Degree: Catherine Wright, ‘Order, Revenue and Conflict: Church Seating Arrangements and the English Parish, c. 1550-1700’ (Unpublished University of Warwick M.A. Dissertation, 1998).

Abstract

The evidence for this thesis includes several hundred pew disputes heard before the church courts in the period c.1550-1700. The jurisdictions examined here include the dioceses of York, of Chester, of Coventry and Lichfield, and of London. These have been supplemented by churchwardens' accounts, parish registers and vestry minutes. These sources also often contained pew lists and plans that are analysed alongside rate assessments and other taxation records.

This thesis investigates the relationship between church seating arrangements and the social hierarchy of local communities in sixteenth and seventeenth century England. It firstly, therefore, explores both legal and official views regarding church seating and status. Secondly, it examines the nature and chronology of conflict over pews, and the social profile of disputants. Thirdly, it explores popular perceptions of the social order through the analysis of the depositional evidence generated by pew disputes. Fourthly, the chronology of pew litigation is explored in the light of ecclesiastical policy and the reaction to these policies in the localities, particularly during the 1630s. Fifthly, the thesis considers the possibility that dispute was a function of the financial implication of changing methods of pew allocation. Finally, through the consideration of the *meaning* of conflict over church seating as it erupted in the context of three parishes over a number of years, the role each of these themes played in helping to construct the local social order is analysed.

The analysis of the records of pew disputes and of the politics of space in church here enables us to perceive more clearly how contemporaries attempted to negotiate their social roles across a complex web of intersecting and overlapping hierarchies and thereby become agents in the recreation of the local social order. Moreover, depositional evidence in particular suggests that status itself was a *compound* phenomenon that incorporated a number of factors including wealth, age, gender, reputation and officeholding. However, whilst on the one hand, pew disputes are a powerful indicator of the notion that social relationships in the early modern period were complex and fluid, on the other, they serve as a reminder that social relations were also governed by the realities of inequality and domination. The processes of inclusion and exclusion that structured early modern communities therefore reflected the inequalities of power. Contemporary perceptions of spatial disorder on the margins of society sharpened these processes of inclusion and exclusion and ensured that the parish church and its seating plan played a prominent and active role in the process of economic and social change in early modern England.

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Conventions and Abbreviations

In quotations from contemporary sources the spelling and punctuation are in their original form with the exception of contemporary abbreviations that have been silently expanded. For manuscript references from unfoliated volumes, detailed references are given by the type of case, the name of the litigant/s, and the date of the court case. The following abbreviations are used throughout the notes.

BI	Borthwick Institute of Historical Research, York
CRO	Cheshire Record Office, Chester
Dillow, 'Church-Seating Arrangements'	Kevin Dillow, 'The Social and Ecclesiastical Significance of Church-Seating Arrangements and Pew Disputes 1500-1740' (unpublished University of Oxford D.Phil, 1990)
DRO	Dorset Record Office, Dorchester
HWRO	Hereford and Worcester Record Office, Worcester
LMA	London Metropolitan Archives, London
LRO	Lichfield Record Office, Lichfield
PRO	Public Record Office, Kew
<i>SDNQ</i>	<i>Somerset and Dorset Notes and Queries</i>
Solihull Parish Book	'The Solihull Parish Book 1525-1720', transcribed by G. L. Bishop (University of Birmingham, 1973-76)
WRO	Warwickshire Record Office, Warwick

Chapter One

Introduction

In the early years of the seventeenth century, St Oswald's chapel in the Cheshire township of Nether Peover became the arena for a prolonged and vitriolic conflict between two of the most prominent families in northwest England.¹ The Shakerleys of Hulme and the Cholmondleys of Holford had long enjoyed complementary rights and privileges in the church, specifically the ownership and occupation of two private side-chapels, together with associated burial rights in the vault. Both families customarily gained access to chancel and side-chapels alike through a door in the south aisle. The arrangement successfully endured until 1610, when by virtue of an agreement arbitrated by Bishop George Lloyd, the Shakerleys were granted permission to extend their side chapel in the south-aisle. This development created a disputed right of way between the two families, which eventually exploded into ecclesiastical litigation in 1625. In that year, Dame Mary Cholmondley vigorously protested to Bishop John Bridgeman that her family's status was being undermined by Margaret Shakerley, whom she accused of denying her rights not only in the side chapel but in the church as a whole: 'I understande that she goeth aboute to depryve me and all my people from all interest to any seate within the church'. Such treatment was especially outrageous, she claimed, because the Cholmondleys had been esteemed 'of equall ranke with the best of the parish at all tymes and two or three discentes somewhat more'.² For a family who had buried several generations in the vault, who had 'a household of threescore persons, all

¹ The following account is based upon CRO P4/8/1-6.

² Lady Mary Cholmondley was described by James I as the 'Bold Lady of Chester', and her litigiousness was well known. Litigation concerning her patrimony began in 1581 and was finally ended by compromise c.1620.

well affected in religion and daily goes to that and other churches', and whose 'remembrances', 'names' and 'Armes' filled the stained glass in the North isle, the indignity and dishonour of Shakerley's claims simply could not be tolerated. Cholmondley emphasised that all this 'was more than can be shewed for any of the howse of Hulme throughout the whole church'. Cholmondley was particularly incensed because, she alleged, her family were being treated as if they deserved 'no place in the church more than ordinary plowmen or rather no place at all'. Having fired this salvo in Bishop Bridgeman's direction, Cholmondley rested her case, only to die some three months later. The litigation apparently died with her.

Several features of this episode are redolent of the themes that will be explored in this thesis. Mary Cholmondley's complaint demonstrates the extraordinary status-consciousness of early modern English society; it reflects the importance of honour and its associated symbols, even to women; and most of all it reveals the extreme sensitivity of the parish church, and especially of its seating plan, to the difficulties created by social change in a culture obsessed with order and hierarchy.

A cursory glance at the records of the ecclesiastical (and arguably even of the secular) courts of early modern England reveals a considerable number of cases like that between the Shakerleys and the Cholmondeleys. There is also evidence of pew conflict surviving in church seating plans like those drawn up in Gillingham (Dorset) in 1615, Tarrant Crawford (Somerset) in 1637, Acton (Cheshire) in 1635, Lower Peover (Cheshire) in 1639, Childwall (Cheshire) in 1609, or Lambeth in 1617³; in re-pewing

³ C. H. Mayo, 'Seats in Gillingham Church, 1615', *SDNQ*, xiv (1914-15), 158-62; James Cross, 'Tarrant Crawford's Churchwardens' Account Book, 1637', *SDNQ*, xvii (191-3), 162-63; Nigel Yates, *Buildings, Faith and Worship: The Liturgical Arrangement of Anglican Churches 1600-1900* (Oxford, 1991); CRO DSS 3991; J. Okill, 'Pew Holders in Childwall Church', *Transactions of the Historical Society of*

schemes like those in Chesham (Buckinghamshire) in 1606, or Tewkesbury (Gloucester) between 1589 and 1590⁴; and in parish meetings called to reassign seats, like that in Myddle (Shropshire) in the 1650s⁵. Although these disputes were often a product of highly localised conflicts they nonetheless speak to wider issues of status consciousness at a time of social change. Contentious and often divisive re-seating was usually undertaken on the initiative of more substantial parishioners and duly approved by the appropriate diocesan authorities, despite warnings that ‘about the placing of seats, there will be no agreement between the parishioners themselves’.⁶

That so many parishes felt it necessary to confront such contention testifies to the significance of sixteenth and seventeenth century social change. The increase in the number of cases concerning church seating reaching the church courts reflects not only the wider increase in litigation, whose general causes it may in part share, but also reveals the intensity of status competition through all ranks of early modern society. Keith Wrightson has described early modern society as a ‘process’ in which even ‘its most apparently stable structures are the expression of an equilibrium between dynamic forces’.⁷ The contention provoked by changes in seating plans perfectly expresses this interrelationship between continuity and change in English society during this period, reflecting both *fluidity* and *persistence* in the social hierarchy. Pew disputes were intimately connected with the concurrent process of social differentiation within local

Lancashire and Cheshire, 8 (1893), 327-28; Charles Drew (ed.), *Lambeth Churchwardens’ Accounts 1504-1645 and Vestry Book 1610*, volume 2 (Surrey Record Society, 18, 1950).

⁴ Nesta Evans, ‘A Scheme For Re-Pewing the Parish Church of Chesham, Buckinghamshire, in 1606’, *Local Historian*, 22 (1992), 203-7, and C.J Litzenberger (ed.), *Tewkesbury Churchwardens’ Accounts 1563-1624* (The Bristol and Gloucestershire Archaeological Society, 1994), pp. 67-69.

⁵ Richard Gough, *The History of Myddle* (ed. D. Hey) (London 1981).

⁶ A minister from Chardstock (Wiltshire) issued this warning to an officer of the peculiar in 1635. David Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England, 1603-1660* (Oxford, 1985), p. 32.

⁷ Keith Wrightson, *English Society 1580-1680* (London, 1982), p. 12.

communities, and intensified by economic and social conditions largely brought about by massive population growth and by market integration. These social changes were all the more dramatic given that contemporaries were obsessed with the ideal of a fixed social order.

I

The Historiography of the Social Order

During 1701 and the early months of 1702, Richard Gough wrote the second section of his history of the Shropshire parish of Myddle. The principal aim of his *Observations concerning the Seates in Myddle and the Familyes to which they belong* was to describe ‘the descent and pedigree of all, or most part of the families in this side of the parish’.⁸ In order to achieve this, Gough formulated his second chapter around the seating plan of the church from which he then expounded the family history of each pew occupant in turn. Gough’s picture of the parish church suggests that, within the system of assignation to houses and tenements, there existed a rough correspondence between status and seating, with the inhabitants of the larger farms seated closer to the front. Accordingly, Gough noted that the cottagers sat in the southwest corner of the church, and that each rank of the social order sat in its appointed place. Early modern historians have frequently adopted Gough’s outline of the social hierarchy of Myddle as a model for the spatial ordering of community. Indeed, church seating arrangements have been generally assumed to *reflect* the local social order in all its details. However, even Gough recognised the complexity of placing parishioners in their pews and deciding

⁸ Gough, *The History of Myddle*, p. 80.

upon the social status of individuals and families: 'I hope noe man will blame mee for not naming every person according to that which hee conceives is his right and superiority in the seats in Church, because it is a thing impossible for any man to know'.⁹ Instead, Gough used the plan as a point of departure from which he expounded both individual tales of passion, jealousy and self-promotion and communal stories that speak of the nature and quality of the social relationships in the parish. Indeed, as Keith Wrightson has suggested, the real significance of Gough's account emerges 'not from the static description, but from the tangled skein of incident which Gough spun into the threads of his narrative'.¹⁰ The seating plan was, then, a static representation of a changing community. The descriptions of the inhabitants of Myddle therefore gave texture to the processes of social change and the nature of social conflict in the local community as they collided with the static pew plan.

Church seating plans and pew disputes have thus had a very strong historiographical link with discussions of the social order and social change in early modern England. However, where Gough was able to take for granted the relationships and the norms that informed the behaviour of his parishioners, these issues demand of historians a degree of analytic reconstruction. Whilst historians recognise that English society in the early modern period was highly stratified, we need to understand the nature and significance of these structures of inequality. How did English men and women perceive the social order and their place within it, and how did they understand the relationships between different social groups? More pertinently, how were perceptions transformed, if at all, in relation to the processes of economic, political,

⁹ Gough, *The History of Myddle*, p. 78.

¹⁰ Wrightson, *English Society*, p. 39.

religious and cultural change? In attempting to answer these questions, historians have tried to characterise the nature and development of the social order through a variety of approaches: by reconstructing contemporary perceptions of 'estate and degree'; by estimating the 'social distribution' of specific groups within the formal hierarchy; and by studying prevailing patterns of social relations.¹¹ This thesis argues that careful study of church seating arrangements provides a viable alternative to these methods.

Of the sources of information on how contemporaries viewed the social order, the most frequently discussed are the formal, often literary, descriptions of society.¹² In these descriptions contemporaries used the language of 'estate and degree'. The terms they adopted were distinctly early modern in that they made no reference to the functional 'orders' of workers, fighters and clerics found in medieval social theory, nor were they recognisably modern in that there were no references to the language of class. Rather, when Sir Thomas Smith set out to describe the social order he commenced, 'we in England divide our men commonly into foure sortes, gentlemen, citizens and yeomen artificers and laborers'.¹³ This conventional hierarchy of 'ranks and degrees' or 'estates and degrees of people' had been repeatedly described by Elizabethan and Stuart writers who sought to anatomise the social order. The works of Sir Thomas Smith, William Harrison, Sir Thomas Wilson and Gregory King distinguished their society as a single hierarchy of status and occupational groups.¹⁴ Although their criteria were different, and

¹¹ The expression 'social-distributional' is borrowed from Keith Wrightson, 'The Social Order of Early Modern England: Three Approaches', in Lloyd Bonfield, R. M. Smith and K. E. Wrightson (eds), *The World We Have Gained: Histories of Population and Social Structure* (Oxford, 1986), p. 180.

¹² See for example David Cressy, 'Describing the social order of Elizabethan and Stuart England', *Literature and History*, 3 (1976), pp. 29-44; N. B. Harte, 'State control of dress and social change in pre-industrial England', in D. C. Coleman and A. H. John (eds), *Trade, Government and Economy in Pre-Industrial England: Essays Presented to F. J. Fisher* (London, 1976), pp. 132-65.

¹³ Cited in Cressy, 'Describing the Social Order', p. 29.

¹⁴ T. Smith, *De Republica Anglorum* (ed. and trans., Mary Dewar, Cambridge, 1982); F. J. Furnivall (ed.), *Harrison's description of England*, New Shakespeare Society, 6th series, no. 1 (London, 1877); F. J.

their categories varied in number and complexity, they represented a society that was highly stratified and imbued with inequality. This classical social hierarchy was also recited in the categories of sumptuary legislation and in formal legal documents to describe the status of, for example, a deponent in court, or the author of a will. It was also, as we shall see, the language adopted by the ecclesiastical hierarchy to describe the order of parishioners in the spiritual context of the church building.¹⁵

What is significant in these descriptions is that the criteria for belonging to specific social groups was never rigidly defined, except for the uppermost echelons. Peers alone enjoyed certain legal privileges such as the right to be tried in the House of Lords, to sit in the upper House. Gentlemen, on the other hand, enjoyed no patents of gentility. Indeed, Harrison's description of 1577 implied that although the gentry were often characterized by race, blood and honour, they could also be identified by reputation, a characteristic that could be *achieved* as well as inherited.¹⁶ Likewise, even though yeomen were often defined by their ownership of a forty-shilling freehold, in practice any large farmers who had achieved pre-eminence and estimation in the village through their ability to keep a good house were given the title of 'yeoman'. Furthermore, whilst merchants and professionals often enjoyed enormous wealth, sometimes on a par with or even exceeding that of the gentry, it was never made clear how they might achieve recognition of gentlemen.¹⁷ In these contemporary descriptions, a certain ambiguity remained regarding the correct placing of individuals. The lines

Fisher (ed.), *The State of England Anno Dom. 1600 by Thomas Wilson*, in *Camden Miscellany XVI*, Camden Society, 3rd series, 52 (1936); J. Thirsk and J. P. Cooper (eds), *Seventeenth-Century Documents* (Oxford, 1972), pp. 780-1.

¹⁵ See Chapter 2 below.

¹⁶ On the enduring influence of Harrison's analysis see F. Heal and C. Holmes, *The Gentry in England and Wales, 1500-1700* (Basingstoke, 1994), Chapter 1.

¹⁷ Cressy, 'Describing the Social Order', pp. 35-40.

dividing social ranks were 'permeable membranes' and contemporaries frankly, if grudgingly, recognised the possibility of individual social mobility'.¹⁸ Finally, those who wrote accounts of the social order found themselves trying to describe a hierarchy in which rank and degree were not autonomous conditions. Rather, they were '*compound* qualities', and the conventional social hierarchy was 'less an institution in itself than a by product of other social institutions'.¹⁹ Few disputes are particularly revealing in this regard and this thesis intends to build upon Wrightson's insight into the complex and often intersecting hierarchies of which early modern society was composed. As Wrightson has argued, contemporary schemes, which were intended to simplify the complexity of reality, found themselves floundering as the social order 'burst through the constraints of traditional classifications into functional 'orders' and only with difficulty could its component parts be adequately defined'.²⁰

Although the consideration of certain contemporary social descriptions can tell us much regarding how certain educated people perceived their own society, whilst simultaneously highlighting the intricacies and ambivalence of that perception, this approach has a number of problems and limitations. Firstly, we are left with the question of how to reconcile normative and descriptive evidence with objective reality. After all, contemporary descriptions of the social order rarely furnish us with evidence concerning the relative proportions of the population falling into each group. This inadvertent omission on the part of contemporaries precludes the identification of significant regional and local variations. Furthermore, this static, formal picture of the social order implies a fixity and consistency in social relations that is refuted by

¹⁸ Wrightson, 'The Social Order', p. 180.

¹⁹ Wrightson, 'The Social Order', p. 181.

²⁰ Wrightson, *English Society*, p. 19.

evidence from a variety of contemporary sources, including pew conflict. It also tells us little of how members of the lower and middle ranks of society viewed their social world or the manner in which they articulated that view. The depositional evidence generated by pew disputes gives us a unique insight into the ways in which the lower and middling ranks of early modern society perceived the social order. Historians must, if they are to explore the past from a variety of perspectives, be prepared to search for a range of social vocabularies that reflect different interests and prejudices on the part of social commentators.

Wrightson has argued that in order to overcome some of these problems historians have attempted to statistically verify contemporary distinctions and descriptions. These studies have shown that the traditional ranking of status and occupational groups were indeed reflected in objective reality. 'Social-distributional' approaches have demonstrated statistically that there were dissimilarities between the experiences of various social groups. In particular, there were quantifiable differences in the distributions of land and income.²¹ For example, although the gentry constituted only two percent of the population, they owned fifty percent of the land. This wealth was recognizable by the panoply of their lifestyle expressed in diet, dress, houses, the number of servants and retainers and in funeral monuments erected as symbols of lineage and power. Differences were not only evident in the relative living standards of each group, but also in the access to positions of power and authority. Even *within* the more homogenous ranks of the gentry, there were differences not only in wealth, but also in the selection for office. Knights often served as MPs, deputy lieutenants and Justices of the Peace; esquires as Justices; and the 'mere gentry' as high constables or

²¹ The term is from Wrightson, 'The Social Order', p. 178, and *passim*.

surveyors of the highways. Whilst distinctions within ‘gentle society’ have been uncovered, the pre-eminence of yeomen and the presence of social distinctions in rural society below the level of yeomen have also been substantiated. Moreover, the texture of urban society has been further explored, and we are now more aware of the distinctions between particular trades and occupations.

One of the signal achievements of the ‘social-distributional’ approach has been the understanding of a dynamic society in which the structure of stratification and the experience of certain social groups were complex, regionally specific and variegated, and subject to change over time. Long-term processes, ranging from shifts in the social distributions of wealth to the emergence of novel distinctions in education, attitudes and manners, have become familiar themes in the study of social history.²²

However, the analytical constructions made by historians are abstractions and do not represent the social structure in its absolute form. Although the conventional categories adopted by contemporaries and historians alike provide us with a reasonable account of the relative wealth, standing and opportunities available to individuals, they can also distract one’s attention from the more interesting aspects of the social structure, in particular its complexities and ambiguities. Indeed, the considerable degrees of overlap between adjacent social categories suggest that the homogeneity of lower social groups have been exaggerated, and that formal descriptions mask the intricate and composite characteristics of place and status in the social hierarchy. These approaches

²² See for example Wrightson, *English Society*, chapters 2, 5, 6 and 7; and the essays collected in Jonathan Barry and Christopher Brooks (eds), *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (London, 1994); Tim Harris (ed.), *Popular Culture in England, c. 1500-1850* (London, 1995); Paul Griffiths, Adam Fox and Steve Hindle (eds), *The Experience of Authority in Early Modern England* (London, 1996); and Michael Braddick and John Walter (eds), *Negotiating Power in Early Modern Society: Order, Hierarchy and Subordination in Early Modern England and Ireland* (Cambridge, 2001).

also fail to highlight the role of gender relationships and the tensions present within the ‘patriarchal’ system. They also neglect to explore the impact of the age hierarchy on the social order. Indeed, both of the approaches described above cater exclusively for adult males. Depositional evidence from pew disputes is particularly valuable in enabling historians to penetrate these hierarchies. Finally, the constant process of social mobility and the impact of social, economic and political changes on the *meaning* of contemporary terms in the local context are conspicuous by their absence. Although formal contemporary visions of the social order were powerful and pervasive representations that undoubtedly had a profound impact, this did not mean that they excluded any alternative definitions or languages of social description. It is these definitions that reveal the dynamic nature of English society in the early modern period, particularly in relation to social and economic change, that recent historiography has found so absorbing.

II

The Experience of Social Change

Although various historians have recently researched and discussed the historiography of social change, by far the most authoritative and exhaustive account has recently been provided in Keith Wrightson’s *Earthly Necessities*.²³ Although it is by no means uncontroversial, Wrightson’s analysis is invaluable as a framework within which social change can be discussed. Whilst it is beyond the scope of this thesis to offer a comprehensive account of social change, it is nonetheless important to pick out

²³ Keith Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (London and New Haven, 2000).

the established themes of the historiographical orthodoxy as it now stands. Wrightson shows that social and economic change in the early modern period was gradual but significant. Those who embraced the productive ideal and were able to profit from the quickening of economic activity and in turn benefit from the rising per capita income and consumption, might well feel the need to 'fall flat on thy face before God and gave him thanks, that thou wert born an English man'.²⁴ However, for others it was a period marked by debt, immiseration and despair. In lived experience, the shifts in power relationships and the alteration of life-chances and expectations could be costly and distressing in their impact. Years of progress and prosperity for some were for others 'the most terrible years through which the country has ever passed'.²⁵

Population growth and inflation were two powerful forces for change in the early modern period, but their impact was neither geographically nor chronologically uniform. It is estimated that the population of England almost doubled between 1550 and 1750, and in the century between 1560 and 1656, population levels rose from an estimated 2.98 million to 5.28 million. This scale of growth was unprecedented, particularly towards the close of the sixteenth century when the annual increase exceeded one percent per annum.²⁶

However, as aggregate figures conceal such problems as subsistence crises, like those in Cumberland and Westmoreland in the latter part of the sixteenth century, demographic pressures must be understood at the local level where it is possible to

²⁴ Cited in Steve Hindle, *The State and Social Change in Early Modern England, c. 1550-1640* (London, 2000), p. 38.

²⁵ Hindle, *The State and Social Change*, p. 39.

²⁶ E. A. Wrigley and R. S. Schofield, *The Population History of England, 1541-1871: A Reconstruction* (Cambridge, 1981), *passim*.

reconstruct historical experience.²⁷ For example, Staffordshire saw its population double between 1563 and the 1660s, while the Forest of Arden (Warwickshire) only experienced a 50 percent increase in the period 1570-1650.²⁸ In the parish of Wigston Magna (Leicestershire), population growth occurred predominantly in the later decades of the sixteenth century and was largely complete by the 1620s.²⁹ Moreover, a similar pattern was evident on the parish of Havering (Essex) in the same period.³⁰ These examples suggest that different rates of population growth were reflected in differing economic contexts.

Population growth rates had a profound impact at the local and national level. According to the Phelps-Brown and Hopkins index, the price of a basketful of consumer goods in Southern England increased six-fold between 1500 and the 1640s.³¹ The effects of these trends also resulted in depressed wage levels due to the growth of the labour pool, underemployment and a concomitant fall in the standard of living.³² Both Wrightson and Levine's study of the rural economy of Terling (Essex), and Margaret Spufford's study of peasant landholdings in three Cambridgeshire manors reflect the critical impact of these trends on the local social structure, albeit with certain local

²⁷ Andrew Appleby, *Famine in Tudor and Stuart England* (Liverpool, 1978); Keith Wrightson and David Levine, 'Death in Whickham', in J. Walter and R. Schofield (eds), *Famine, Disease and the Social Order in Early Modern Society* (Cambridge, 1989), pp. 129-65.

²⁸ D. Palliser, 'Dearth and Disease in Staffordshire, 1540-1670', in C. W. Chalklin and M. A. Haviden (eds), *Rural Change and Urban Growth 1500-1800: Essays in English Regional History in Honour of W. G. Hoskins* (London, 1974), p. 55; V. H. T. Skipp, *Crisis and Development: An Ecological Case Study of the Forest of Arden, 1570-1674* (Cambridge, 1978), p. 13.

²⁹ W.G. Hoskins, *The Midland Peasant: The Economic and Social History of a Leicestershire Village* (London, 1957), pp. 185, 211.

³⁰ Marjorie Keniston McIntosh, *A Community Transformed: The manor and Liberty of Havering, 1500-1620* (Cambridge, 1991), pp. 9-33.

³¹ Paul Slack, *Poverty and Policy in Tudor and Stuart England* (London, 1988), p. 44.

³² Wrightson, *Earthly Necessities*, chapters six and seven.

variations.³³ They also show that a gradual process that involved the geographical redistribution of the population was occurring as subsistence migration urged many towards centres of economic opportunity, and to regions more able to absorb immigrants, in particular 'wood-pasture zones'. In areas such as Chippenham (Cambridgeshire) and King's Langley (Hertfordshire), the number of smallholdings had increased dramatically by the beginning of the seventeenth century.³⁴

These processes in turn produced a quickening of economic activity, particularly evident in the pace of internal trade that was buoyed by increases in the provision of food for the urban market and in industrial output to meet the demands of a growing and increasingly urban population. The impact of these changes varied regionally, and where some groups within the social order were able to gain from these processes, others lost. Proportionally, wealth was being concentrated into fewer hands, most notably within the ranks of yeomen, substantial husbandmen and wealthy craftsmen. The nature of the tenures held by these groups, namely freeholders, tenants with long leases or copyholders with secure tenures, meant that they were relatively immune from rent increases. However, even larger leaseholders that were able to produce considerable surpluses for the market were able to benefit from the effects of the price rise.³⁵ Meanwhile, lower middling groups such as husbandmen and small craftsmen were gradually being subjected to economic pressure. Middling farmers almost entirely vanished from a number of communities in this period, and where they survived, it was largely due to the practice of partible inheritance and the survival of common lands. At

³³ Keith Wrightson and David Levine, *Poverty and Piety in an English Village, Terling 1525-1700* (2nd edition, Oxford, 1995), p. 36; Margaret Spufford, *Contrasting Communities: English Villagers in the sixteenth and seventeenth Centuries* (Cambridge, 1974), pp. 73, 100.

³⁴ Steve Hindle, 'Exclusion Crises: Poverty, Migration and Parochial Responsibility in English Rural Communities, c. 1560-1660', *Rural History*, 7:2 (1996), p. 130.

³⁵ Wrightson, *Earthly Necessities*, pp. 132-40 and pp. 182-89.

Chippenham, the number of tenants holding between two and ninety acres fell from twenty-five in 1560 to only ten by 1636. Conversely, in Willingham, the number of tenants holding between two and twenty-five acres remained relatively constant at around forty-five acres between 1575 and 1603. This number had then grown dramatically to seventy-seven by the 1720s.³⁶

Husbandmen were still numerous in certain places, yet they held a diminishing proportion of the land. At stake for these households was whether the viability of the small-farm economy could be maintained in the face of tenorial and market changes. As the evidence from arable lowlands such as Chippenham show, small farmers were most seriously affected where they were fully exposed to market forces without any compensating factors. Access to urban food markets also assisted struggling small farmers who were able to diversify their domestic economies by specialising in market gardening, fruit growing or small-scale dairying. Although the course of change in the early modern period was locally and regionally variegated, many rural communities were becoming increasingly polarised by the mid-seventeenth century. This growing differentiation was particularly marked between the small groups of large-scale commercial farmers who held the greater part of the land and were able to enjoy most of the profits gained from it and the numerous cottagers who barely managed to get by on their tiny holdings supplemented with whatever by-employment they could get.³⁷

Even in the urban context there was an element of marked social differentiation. In the expanding urban economy increasingly structured by capitalist forces, small masters might well achieve a moderate degree of prosperity. However, the experience

³⁶ Spufford, *Contrasting Communities*, pp. 73, 100.

³⁷ Wrightson, *Earthly Necessities*, pp. 186-90.

of the greater proportion of urban craftsmen, who were either skilled or semi-skilled journeymen, was more uncertain. The fall in real wages and the unpredictability of labour demand in a persistently overstocked labour market heightened the insecurity of their position. The very fact that towns and manufacturing districts were magnets for poor migrants is testament to the difficulties of surviving on the land.³⁸

Allied to the potential for increased work opportunities as a result of urban growth, agricultural intensification, and industrial expansion, were the problems of low wages and underemployment. Indeed, one of the most striking features of the early modern period was the growing problem of 'structural poverty' and the increase in what contemporaries came to recognise and describe as the 'labouring poor'.³⁹ This was a poverty born not so much of individual misfortune or default, as of the diminishing ability to meet household needs as a result of wider economic pressures. In the early modern period there was an absolute increase in the proportion of cottagers and labourers from around twenty to thirty percent in 1520 to around fifty percent by 1650.⁴⁰ The enclosure of commons made the plight of these groups even more severe at a time of falling wages and rising prices.

The prevailing economic climate, successive harvest failures and their attendant mortality and malnutrition, and external dislocations of the cloth industry highlighted not only the weaknesses of an economy and society gradually experiencing structural change, but also emphasised the apparent differences in the living standards and life chances of various groups in society. While some were able to exploit opportunities to acquire and consolidate their wealth, others struggled for economic survival. For

³⁸ Wrightson, *Earthly Necessities*, pp. 190-95.

³⁹ Paul Slack, *Poverty and Policy in Tudor and Stuart England* (London, 1988), pp. 27-32.

⁴⁰ Wrightson, *Earthly Necessities*, pp. 145-48, 194-97; and Richard Lachman, *From Manor to Market: Structural Change in England, 1536-1640* (Madison, 1987), p. 129.

Tawney, the seductive brilliance of the Elizabethan and early Stuart age 'gleams against a background of social squalor and misery'.⁴¹ The sheer growth in the number of the labouring poor in this period contrasted sharply with the expansion of a group that, by 1640, contemporary commentators were starting to describe as 'the middle sort of people'. These commercial farmers, prosperous manufacturers, independent tradesmen and professionals were the sons of gentry, yeomen of substance, tradesmen and other professionals. As a whole, these individuals had gained a certain pre-eminence in their local communities that was reflected in their lifestyles and in their holding of office.

Allied to these notions of eminence and 'ability' was the increasing deployment of the language of 'sorts'. Wrightson has suggested that this idiom emerged to fulfil the need for a more flexible vocabulary than estates or degrees allowed, following the increases in governance under the Tudors and Stuarts, and the consequent elaboration of the role of local notables. Those whose position and responsibilities encouraged them to take a closer interest in the local social order, namely the yeomen and more substantial husbandmen and craftsmen who fulfilled the voluntary roles of churchwarden, constables and overseers of the poor, thus adopted a language of 'sorts'. This better reflected the plasticity of social identities, and distinguished the composite local ruling group, who identified themselves with 'authority, sound religion, civility', from the 'greater gentry' and the mass of 'common people'.⁴² These terms, discovered in the immediacy of experience, were an indicator of the intensification of a process of social stratification and originated with the very groups who as we shall see played a crucial role in the process of pew assignment, in particular, the churchwardens.

⁴¹ Cited in Wrightson, *Earthly Necessities*, p. 200.

⁴² Keith Wrightson, "'Sorts of People' in Tudor and Stuart England", in Jonathan Barry and Christopher Brooks (eds), *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (London, 1994), pp. 38-50.

Recently, H. R. French has argued that although the language of sorts is indeed evident in parish archives, the idiom 'middling sort' is not deployed as often as Wrightson and others might lead us to expect.⁴³ In his analysis of the ways in which parish rulers described themselves, French argued that the middling sort in the localities most commonly distinguished themselves as the 'chief', 'substantial', 'ablest', or 'principle' inhabitants.⁴⁴ French further argued that these social descriptions were based upon a localised and truncated social hierarchy, which allowed local rulers to 'blur the boundaries between themselves and the effective rural elite among the landed gentry'.⁴⁵ French then specifically related these descriptions to the 'patterns of officeholding, the identity of officers, and the structure and size of such groups'.⁴⁶ These social descriptions, however, only extended to the 'major landholders of the settlement and its hinterland'. French concludes that 'beyond these boundaries, such elites may not have been able to claim more widely applicable status by reference to any generally understood social category – except, perhaps, by claiming to be "gentlemen"', however spurious.⁴⁷

French's article is particularly useful in helping us conceptualise the role of agency in the formulation of status ascriptions in the localities during the early modern period. Nonetheless, his central thesis regarding the *local* significance of the middling sort and their self-conception is not at variance with, but rather at the heart of recent

⁴³ H. R. French, 'Social Status, Localism and the "Middle Sort of People" in England, 1620-1750', *Past and Present*, 166 (February, 2000), 66-99.

⁴⁴ French, 'Social Status, Localism and the "Middle Sort of People"', p. 77.

⁴⁵ French, 'Social Status, Localism and the "Middle Sort of People"', p. 77.

⁴⁶ French, 'Social Status, Localism and the "Middle Sort of People"', pp. 73-74.

⁴⁷ French, 'Social Status, Localism and the "Middle Sort of People"', p. 87.

discussions of the politics of the parish in seventeenth century England.⁴⁸ Indeed, the dynamic forces at play in English society were complex and their interaction with different processes in a variety of local and regional contexts produced a multiplicity of outcomes. Regardless of whether we focus on the changes that were polarising society into the 'meaner' and the 'better', and the 'poorer' and the 'richer' sort, or upon those who characterised themselves in terms of the idiom of the 'chief inhabitants', or even upon those that were creating a tripartite reconfiguration of society, it is evident that 'an alternative social order was emerging . . . composed along lines determined by new economic fields of force'.⁴⁹

This thesis seeks to measure the impact of these processes of social change and social mobility in the local context. The extraordinary extent and range of depositional evidence generated by pew disputes both caters for social change whilst simultaneously offering a perspective from *below* or *within* the social order. Through this we become more aware of what E. P. Thompson has described as the 'popular mentalities of subordination'.⁵⁰ Furthermore, the study of social conflict can also assist in the characterisation of the prevailing patterns of social relations. Accordingly, the analysis of pew disputes can help historians understand the fundamental alignments and dynamics of the system of stratification in the local community during a period of social and economic change.

⁴⁸ See for example, Wrightson, "'Sorts of People'"; Hindle, *The State and Social Change*; Joan Kent, 'The Rural "Middling Sort" in Early Modern England, circa 1640-1740: Some Economic, Political and Socio-Cultural Characteristics', *Rural History*, 10:2 (1999), 19-54; Braddick and Walter (eds), *Negotiating Power in Early Modern Society*.

⁴⁹ Wrightson, *Earthly Necessities*, p. 201.

⁵⁰ E. P. Thompson, 'The Crime of Anonymity', in D. Hay, P. Linebaugh, J. G. Rule, E. P. Thompson and C. Winslow (eds), *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (London, 1975), p. 304.

The understanding of the variety of hierarchies in early modern England has forced historians to consider the ways in which order might be culturally constructed, and how power operated and was experienced. In particular, Michael Braddick and John Walter have suggested that in dealing with the complexity of early modern English society, it is crucial to recognise that the social order was not merely an objective reality, but a collectively understood set of roles: 'The normative constraints of society are . . . tangibly represented as a system of roles for the performance in which the individual is socialized, which subsequently define his rights, privileges and social relationships'.⁵¹ The roles taken on by individuals in the face-to-face context of early modern parishes were not only defined in terms of individual personalities, but in terms of more generalised social roles. However, the identities adopted by individuals were not entirely of their own choosing; rather, they were dependent upon the acceptance of those to whom that role was proffered. This insight enables us to explore the hierarchies that both empowered and constrained individuals and the ways in which they were negotiated, created and re-made. Individuals might simultaneously inhabit several hierarchies and the negotiation of any particular social relationship could involve a variety of power relationships. Furthermore, subordinate groups could manipulate legitimating discourses in order to protect or empower themselves, thereby negotiating the terms, rather than the actuality, of their inferiority.⁵² An individual's role in the social order could then be expressed in a number of ways, including their physical appearance and their possession of a symbol of status. Hence the significance of seats in the parish church, arguably the most resonant symbol of social status.

⁵¹ Cited in Michael Braddick and John Walter, 'Introduction. Grids of Power: Order, Hierarchy and Subordination in Early Modern Society', in Braddick and Walter (eds), *Negotiating Power in Early Modern Society*, p. 11.

⁵² Braddick and Walter, 'Introduction. Grids of Power', pp. 1-42.

III

The Historiography of Pews and Seating Plans

Surprisingly, the existing historiography of church seating conflicts is largely fragmentary in nature, most of the discussion being oblique rather than focused. There are numerous small-scale surveys and scattered references in local studies. Throughout this literature, discussions of Richard Gough's *History of Myddle* are ubiquitous. In the 1980s, social historians, many inspired by Wrightson's analysis of Gough, began to take a serious interest in church seating plans. Four contributions, by David Underdown, Susan Amussen, Nick Alldridge and Jeremy Boulton, have proved especially influential.

In *Revel, Riot and Rebellion*, David Underdown claimed that the church seating plan provided a 'social map', and that regardless of the system of allocation, the church's seating mirrored the hierarchy of the community: 'if the images and stained glass of the old religion had been the poor man's bible, the seating-plan was his guide to the status system, a weekly reminder of the realities of local precedence'.⁵³ Where disputes arose, a variety of social groups were involved. Underdown claimed that the gentry 'often' participated in pew disputes and that 'status assertion by the gentry was often reflected in conflicts over church seats, placement in church being so visible an affirmation of status'.⁵⁴ Underdown also claimed that some cases suggest particularly severe stresses in pastoral villages, which lacked the mechanisms of informal mediation that existed in the more cohesive arable parishes.⁵⁵

⁵³ Underdown, *Revel, Riot and Rebellion*, pp. 29, 31, 32.

⁵⁴ Underdown, *Revel, Riot and Rebellion*, p. 22.

⁵⁵ Underdown, *Revel, Riot and Rebellion*, pp. 31-32.

However, Underdown also argued that seating disputes reflected the polarisation of elite and popular culture and the breakdown of traditional society. He therefore traced the extent to which this polarisation found expression in the implementation of pew rental schemes, which excluded the lower orders of society. Underdown suggested that, by 1600, changes had occurred that made it necessary to redraw the 'social map' represented in the pew plan of the parish. The change in 'so many' early seventeenth century parish churches from systems based on custom and residence to systems based on the ability to pay was 'clearly related to the concurrent process of social differentiation'. Population growth and social mobility had undermined the correspondence between customary arrangements and the realities of the status hierarchy. The new parish elites that emerged through this process then prompted the reorganisation of the church seating arrangements to affirm their position.⁵⁶ These notions informed his conclusion that pew disputes can also be viewed as the 'defensive actions of the poor and marginal', who were particularly vulnerable to 'symbolic reductions of their status'.⁵⁷ Underdown was particularly interested in the impact of social change on church seating and in this respect his contribution was invaluable. However, his analysis was weakened by two factors in particular: his account depended on fragmentary and impressionistic local evidence, and was underpinned by a very hazy understanding of the jurisdictional issues relating to pew allocation.

In *An Ordered Society*, Susan Amussen also claimed that 'the church mirrored the social structure of the community'. Amussen emphasised the significance of pew disputes among the gentry and yeomanry of Norfolk. She further argued that conflict

⁵⁶ Underdown, *Revel, Riot and Rebellion*, pp. 32-33.

⁵⁷ Underdown, *Revel, Riot and Rebellion*, p. 32.

was most common in pastoral villages and market towns where the social distance between numerous prosperous yeomen and minor gentry was minimal and personal ambition needed an outlet.⁵⁸ In communities with a more stable social structure, Amussen argued, the best way to enhance status was to control a seat in the church, preferably as close to the chancel as possible.⁵⁹ Furthermore, she claimed that during the second decade of the seventeenth century when the land market was less active, and class structure increasingly less fluid, surviving deposition books are especially littered with records of disputes. Amussen's insights are, however, also impressionistic and her analysis is limited to cases drawn from depositions from the diocese of Norwich.

In *Neighbourhood and Society* Jeremy Boulton further elaborated the prevailing orthodoxy that there existed 'intimate links between social status, wealth and local office-holding . . . in the order of seating in the parish church'.⁶⁰ However, Boulton transcended such statements to emphasise the significance of age, wealth, and dwelling place upon position in the church. Boulton claimed that although social standing and wealth were important criteria in the allocation of pews, the assignment of seats according to residential location at St. Saviour's (Southwark) meant that a subsidy man living in a generally poor area could find himself seated in the same pew as one of his less fortunate neighbours. He further suggested that this pattern of assignment promoted social contacts between neighbouring households and underlined the existence of common religious behaviour.⁶¹

⁵⁸ Susan Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford, 1988), pp. 141-42.

⁵⁹ Amussen, *An Ordered Society*, pp. 141-42.

⁶⁰ Jeremy Boulton, *Neighbourhood and Society - A London Suburb in the Seventeenth Century* (Cambridge, 1987), p. 146.

⁶¹ Boulton, *Neighbourhood and Society*, p. 287.

Likewise, Nick Alldridge explored the significance of a variety of factors in the placement of an individual in church.⁶² Alldridge argued that the scale of ranks described by Gough were especially inadequate to express the complexities of urban society. He claimed that a system of allocation based on wealth was not sufficient to encompass individuals whose status was accorded to them by their role in civic life. Alldridge therefore emphasised the less tangible concepts of respect and 'honour', whilst also exploring the possibility of an age hierarchy and a division of seats according to topography in the city parishes of Chester.⁶³ Alldridge nevertheless described the seating plan as a 'social model' by which 'communal membership might be expressed within a stratified and hierarchical society'.⁶⁴ Boulton and Alldridge's significant local studies are, however, confined only to Southwark and Chester and have suggested rather than fulfilled the potential of the subject.

By far the most systematic study of early modern pew conflict was produced by Kevin Dillow in 1990.⁶⁵ Dillow undertook extensive research both into the legal context of the allocation of pews by churchwardens and other ecclesiastical authorities and into the means by which disputes were brought before the courts. In addition, his thesis represents the first attempt to analyse systematically the records of numerous dioceses and archdeaconries to consider the relative social status of those involved in disputes. His analysis of church seating plans also explored the issue of gender hierarchies and the relative status of women in relation both to their spouses and to other men. Finally, Dillow's thesis represents the first attempt to quantify the scale and trend of pew

⁶² Nick Alldridge, 'Loyalty and Identity in Chester Parishes, 1540-1640', in S. J. Wright (ed.), *Parish, Church and People: Local Studies in Lay Religion* (London, 1988), pp. 85-124.

⁶³ Alldridge, 'Loyalty and Identity', pp. 94-96.

⁶⁴ Alldridge, 'Loyalty and Identity', pp. 96, 94.

⁶⁵ Dillow, 'Church-Seating Arrangements'.

disputes. Although he identified a considerable rise in the number of pew cases between the 1580s and the Civil War, Dillow nonetheless suggested that in the light of the plenitude of other cases brought before the church courts, pew disputes were never as endemic as either contemporaries and historians have implied.⁶⁶ Overall, Dillow was more concerned with the jurisdictional aspects of pew disputes, and his signal contribution to this field was to render this extraordinarily complex legal area comprehensible to the students who followed him. Regrettably, Dillow's thesis remains unpublished either in book or even in article form.

Central to Dillow's thesis is the idea that the seating plan of the parish was 'a good but imperfect reflection of society itself'.⁶⁷ Thus, for example, the analysis of where women sat in relation to men revealed that the position of women was neither utterly dependent on their husbands nor consistently separate from them. Only in officeholding were seats totally reflective of the status and honour involved. Dillow nonetheless rightly suggested that the ultimate significance of church seating arrangements rests in the details they contain regarding the social structure of early modern England and in the location of such tensions as existed in that structure.

More recently, Susan Pittman and Amanda Flather have published essays on the significance of church seating plans in parishes in Cornwall and Essex respectively.⁶⁸ Susan Pittman attempted to reconstruct the social structure and parish community of St. Andrew's, Calstock (Cornwall) based on the seating plan of 1587/8. Like Alldridge and

⁶⁶ Dillow, 'Church-Seating Arrangements', p. 192. The archdeaconries and dioceses Dillow considered include Berkshire, Buckingham, Gloucester, London, Oxford, Winchester and Worcester.

⁶⁷ Dillow, 'Church-Seating Arrangements', p. 168.

⁶⁸ Susan Pittman, 'The Social Structure and Parish Community of St. Andrew's Church, Calstock, as Reconstituted from its Seating Plan, c.1587/8', *Southern History*, 20-21 (1998-99), 44-67; Amanda Flather, *The Politics of Place: a Study of Church Seating in Essex, c.1580-1640* (Friends of the Department of English Local History, Friends Papers No. 3, Leicester 1999).

Boulton, Pittman concluded that the seating plan ‘encapsulated’ the church community and that, as everyone knew that they had a place in the church, it arguably enhanced devotional feeling and engendered a sense of community.⁶⁹ Furthermore, Pittman argued that the system of allocation was complicated, subtle and intricate, and included a number of different hierarchies. For Pittman, the seating plan had both practical and symbolic value as it helped maintain ‘an awareness of community by conveying within it the means whereby the congregation could define and reappraise itself and by doing so establish and re-enforce its identity’.⁷⁰

Amanda Flather researched church seating in Essex parishes between 1580 and 1640 and explored the extent to which disputes over seats in church reflected tensions between ideology and reality in early modern English society. Flather argued that battles between neighbours and presentments by churchwardens provide proof of the reality of a society in which social and demographic structural transformation and short term political and religious disruption meant that order was always changing. Hierarchy was an area of constant contest and negotiation as neighbours struggled to define and redefine perpetually shifting boundaries of social identity.⁷¹

Flather concluded by suggesting that the weekly Sunday service had become a lesson in which the poor and the powerless were taught to know their place.⁷² Like Underdown, Flather keenly recognised the importance of social change and social mobility. However, neither Flather nor Pittman cite Dillow’s thesis and both have thus

⁶⁹ Pittman, ‘The Social Structure and Parish Community of St. Andrew’s Church, Calstock’, pp. 63-64.

⁷⁰ Pittman, ‘The Social Structure and Parish Community of St. Andrew’s Church, Calstock’, p. 64.

⁷¹ Flather, *The Politics of Place*, p. 54.

⁷² Flather, *The Politics of Place*, pp. 54-55.

perpetuated the prevailing patterns of flawed assumptions concerning the jurisdictional issues regarding pew disputes.

The most recent contribution to the historiography of pew disputes is an article by Chris Marsh on the significance of church seating and 'Common Prayer' in promoting the "'one voice" of the Christian community in a period of many voices'.⁷³ Marsh argued that communities were subjected to a process of significant redefinition in the late sixteenth and early seventeenth centuries. He insisted, however, that although Christian neighbourliness could never level the differences between the gent and the joiner, the Christian ideal of harmony was, nevertheless, all-powerful.⁷⁴ Marsh accordingly argued that in this reconciliatory political and *religious* culture, most parishioners were peaceable and 'allowed their seats to articulate on their behalf, an acceptance of community and hierarchy at one and the same time'.⁷⁵ This led Marsh to conclude that 'seats in church were conceived as an instrument of peace'.⁷⁶ For Marsh, therefore, the peaceful reality of the silent majority of parishioners was enduring, and pew disputes were ephemeral. However, Marsh arguably fails to engage with the realities of social conflict in early modern England and the profound and enduring impact that pew disputes might have upon a local community. Furthermore, whilst it is of course pertinent to remember the views of the silent majority, it is also important to remember that both deponents and the ecclesiastical hierarchy most frequently rehearsed notions of social harmony in the context of social conflict.

⁷³ Chris Marsh, "'Common Prayer" in England 1560-1640: The View from the Pew', *Past and Present*, 171 (May, 2001), p. 93.

⁷⁴ Marsh, "'Common Prayer'", pp. 73-77.

⁷⁵ Marsh, "'Common Prayer'", p. 92.

⁷⁶ Marsh, "'Common Prayer'", pp. 81-82.

The limited usefulness of these existing studies is due to the fact that they have been drawn from too few cases to allow quantification of the evidence, and have been derived from restricted geographical areas. Perhaps it is the very fact that pew disputes provide such a powerful lens through which to view the local manifestations of a variety of social, economic and religious developments that they have been used as a point of entry for the study of these subjects rather than as a subject in itself.

The primary features to have emerged from the historiography of church seating then are firstly, the recognition of the utility of pew plans as indices of the social order, however imprecise; and secondly, the insight that disputes might expose tensions in the social structure. Although we no longer believe, as Underdown argued in 1985, that pew plans represent a 'social map' of community, our readings of pew plans remain relatively unsophisticated. If the historiography of pew plans and church seating is relatively consensual, it is largely because so many dimensions of the problem have been left unexplored.

The most fundamental omissions in the historiography of pew disputes are first, the significance of social conflict in the physical environment of the church; second, the systematic analysis of pew disputes in the context of social mobility; third, contemporary views of the social order; fourth, the impact of liturgical changes; and, finally, the financial implications of pew rents and the disputes that arose between ecclesiastical and secular hierarchies over the revenue raised by the pew renting system. This thesis intends to demonstrate that pews had an intrinsic significance in two key respects, both of which are imperfectly understood in the existing fragmentary historiography. In the first place, pews were material assets; in the second, they were

symbolically charged. The following discussion will deal with each of these issues in turn. C

Although Dillow provides a thorough consideration of the responsibilities of churchwardens with regard to ordering the seating arrangements in churches, his discussion does not extend to the financial implications of the squabbles between the central and local ecclesiastical authorities for the right to control the revenues received from pew rents. If pew rents might on average account for as much as sixty per cent of a church's annual income, then these squabbles may be indicative of another conflict, that between the centre and the localities over not only the *symbolic* but also the *material* power associated with church seating. Furthermore, the extent to which the advent of pew rents may have been affected by religious change over our period has not been systematically considered. Although Christopher Hill suggested that pew rents gradually came to replace traditional forms of revenue raising such as collections on feast days like Hock Tuesday and May Day, there has been little serious attempt to quantify or explain the significance of the growth of this process.⁷⁷

Furthermore, Dillow and others have failed to discuss *why* pews themselves were so contentious in this period and *how* seating came to carry such potent social symbolism. Neither do they discuss the possibility that the most important contribution of church seating plans to historical debate is not how successfully they mirrored the social order. Indeed, the very idea of a 'social map' of community is vulnerable in two respects. Firstly, it grossly simplifies a social hierarchy that was subject to enormous

⁷⁷ Christopher Hill, *Economic Problems of the Church From Archbishop Whitgift to the Long Parliament* (Oxford, 1958), pp. 175-76.

change. As a static entity, the pew plan fails to account for 'social relations in motion'.⁷⁸ Secondly, even if the pew plan really did provide a 'social map' of the local community, historians have often tended to employ simplified models of how social status was constructed and ascribed and especially of the relationship of status to wealth. The central argument of this thesis is that status was made up of a compound of factors. The very fact that church-seating plans often did not accurately reflect how contemporaries viewed their own position in the social order serves to highlight both the ambiguities of social identity and the profound social, religious and economic changes during this period. The study of conflict over seats both reveals tensions in the ecclesiastical and social ideals of order, and captures the realities of social change.

IV

The Social Theory of Seating and Space

The impact of the realities of social change in early modern England can be most clearly observed at the local level, arguably the only place where it is possible to reconstruct lived experience. The parish church itself, the physical site of the disputes over seating, was the arena in which the local community was symbolically constructed and reproduced. Although the parish was part of wider social, economic, political and religious structures and relationships, it was also the place where the experiences of individuals worshipping and working in close proximity to each other most obviously shaped the character of their society. It was in the parish that the structures and rituals that created and maintained society were both challenged and recreated. The parish community was continually being 'defined and redefined by the processes of inclusion

⁷⁸ Keith Wrightson, 'The Politics of the Parish in Early Modern England', in Griffiths, Fox and Hindle (eds), *The Experience of Authority in Early Modern England*, p. 12.

and exclusion'.⁷⁹ The ideals of community, expressed in the rhetoric of quietness, charity, honesty and consensus, were therefore just that, *ideals*. As Steve Hindle has argued,

becoming a member of, and belonging to, the parish community were transactions which entailed the negotiation of relativities of status and space. In short, the maintenance of parochial harmony was predicated on the internalization of a sense of 'place', both geographical and in social-structural terms. The parish was not only a territorial and jurisdictional entity, it was also a social, economic and moral hierarchy.⁸⁰

These processes of inclusion and exclusion were particularly evident in the context of the church building where they were symbolically reflected in the church-seating plan.

As the physical and symbolic core of the local community, the parish church stood at the intersection of secular and religious discourses of the cosmic and social order embodied in the metaphors of the 'Great Chain of Being' and the 'Body Politic'. Indeed, the church has long been regarded by historians as playing a central role in defining the fundamental unity and order of society. The church had shaped the year by its calendar, feast days and saint's days. It also defined an individual's life through the rites of passage of baptism, marriage and death.⁸¹ The church was, moreover, the focal point of parish life and it was accordingly used as a central meeting place and the site of the parochial armoury and fire-fighting equipment. In the church building, where the

⁷⁹ Wrightson, 'The Politics of the Parish', pp. 11-12.

⁸⁰ Steve Hindle, 'A sense of place? Becoming and belonging in the rural parish, 1550-1650', in Alexandra Shepard and P. J. Withington (eds), *Communities in Early Modern England: Networks, Place, Rhetoric* (Manchester, 2000), p. 97.

⁸¹ David Cressy, *Birth, Marriage and Death: Ritual, Religion and the Life-Cycle in Tudor and Stuart England* (Oxford, 1997); Ronald Hutton, *The Rise and Fall of Merry England: the Ritual Year 1400-1700* (Oxford, 1994).

secular and the spiritual met, ideas of order and community were disseminated. The Book of Common Prayer celebrated 'all sorts and conditions of men' gathered together for communion. This was supported by catechisms, sermons and homilies that emphasised the hierarchies of age, wealth and honour alongside notions of the ordering of the Christian body.⁸²

These notions were well established by the Reformation period. Concerns for unity had, however, been evident prior to the Reformation and had included the concept of order through the portrayal of a society that was harmonious precisely because of its acceptance of hierarchy and rank. The pre-Reformation offertory prayer had emphasised 'peace and unity' between members of the congregation as a pre-requisite to reconciliation with God. This unity was confirmed by the communal, but hierarchically ordered kissing of the Pax, and the centrality of the elevation of the priest and the host in the mass.

However, whilst notions of order and unity were prevalent both before and after the Reformation, the widespread installation of permanent pews fundamentally altered the use of and perception of space in church. When altars, roods and rood-lofts were removed, and the celebration of mass rejected, chancels lost their sense of sanctity. Once the communion table became a portable fixture that could be moved into the nave, the chancel became another space in the church where the laity might sit.⁸³ Towards the close of the fifteenth century, different types of seating were becoming more common and impinging upon space in the church. Indeed, where these seats were fixed, they had

⁸² John Bossy, 'Blood and Baptism: Kinship, Community and Christianity in Western Europe from the Fourteenth to the Seventeenth Centuries', in Derek Baker (ed.), *Sanctity and Secularity: The Church and the World* (Studies in Church History, 10, Oxford, 1973), pp. 134-38; Dillow, 'Church-Seating Arrangements', p. 17.

⁸³ Margaret Aston, 'Segregation in Church', in W. J. Sheils and Diana Woods (eds), *Women in the Church* (Studies in Church History, 27, Oxford, 1990), p. 248.

a greater impact.⁸⁴ C. Pamela Graves has suggested that the introduction of permanent pews in medieval churches resulted in the dramatic reorganisation of liturgical and perceptual space. Rigidly defined rows of seating slowly eroded the fluidity of space in the nave thereby fossilising the ‘topography of good and poor visibility within a church’.⁸⁵ This topography was to be broken and rearranged by the post-Reformation focus on the pulpit. Indeed, although seating had been present prior to the Reformation, the attentiveness of the congregation and their presence throughout the whole of the service became synonymous with the success of the preached word. Parishioners who had attended mass had circulated freely around their church, arriving late, departing early, and focusing principally on the central moment of the rite.⁸⁶ The reforming authorities of the English church were quick to recognise that a seated congregation was a more captive audience. Thus the altered priorities of sitting and hearing over standing and seeing were enforced, thereby altering the internal landscape of the church and in turn, the ritual use of ecclesiastical space.

Chris Marsh has argued that, from a Protestant perspective, ‘seats actually represented a strengthening of the symbols available for bolstering of community because they reduced the variety of stance and gesture that had been permissible before the Reformation’. Indeed, for Marsh, the introduction of congregational seating reflected a ‘levelling of hierarchy, since it extended previously restricted comforts to the majority of worshippers’.⁸⁷ It is, however, important to recognise that just as seating reduced the variety of stance and gesture, it also attempted to fix the social order and

⁸⁴ Aston, ‘Segregation in Church’, pp. 251-52.

⁸⁵ C. Pamela Graves, ‘Social space in the English medieval parish church’, *Economy and Society*, 8:3 (1989), p. 317.

⁸⁶ Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England 1400-1580* (London, 1992), pp. 91-130.

⁸⁷ Marsh, “‘Common Prayer’”, p 80.

restrict the use of space within the church. Indeed, it is unlikely that the poor parishioner who sat on the benches at the rear of the church near the porch door, exposed to the tyrannies of an English winter, would have recognised such a 'levelling' as he observed the ornate box pews of his betters located near the pulpit or chancel. The 'self' was rarely 'abandoned in the relentless pursuit of peace and love' in this society where status was a constant preoccupation.⁸⁸

Rather, like the competition for precedence on commissions of the peace among county gentry, or for prestigious burial space in the church nave, the frequent disputes regarding church seating reflect the intensity of English social relations during the sixteenth and seventeenth centuries.⁸⁹ Pew conflicts suggest the potential for social mobility in an age of competition for the symbols of status and respect, and show that all sorts of parishioners might choose to challenge the order defined and represented in church. These conflicts also emphasise the evolving nature of the symbols themselves. Disputes over seating in church offer a unique view of the ways in which certain groups tried to redefine, reassert or challenge the 'boundaries' of their communities in the context of social change.

As we have seen, communities were not only structured by the agency of their members, but also through the use of ritual and symbol. As David Underdown has insisted, 'ritual is not merely reflective of society, it is itself a feature of the social order, part of the way the social structure is articulated and communicated and hence fit into a web of language and gesture rather than being simply the consequence of fixed and

⁸⁸ Marsh, "Common Prayer", p. 74.

⁸⁹ A. J. Fletcher 'Honour, Reputation and Local Officeholding in Elizabethan and Stuart England' in A. J. Fletcher and J. Stevenson (eds) *Order and Disorder in Early Modern England* (Cambridge, 1985), *passim*.

material features of a society'.⁹⁰ In this context, both the 'meaning' of seats and the symbolism of the pew hierarchy itself need to be established, alongside the ways in which alterations to this symbolism may have reflected changes in the structure of parish hierarchy.

The use of anthropological methods has helped historians uncover the myriad meanings in a particular set of events or material objects. 'Thick description' helps unravel the shared, and often symbolic, assumptions, connotations, and implications of human interaction.⁹¹ Charles Pythian-Adams and Mervyn James have manipulated these methods to explore the role played by civic rituals, such as the Corpus Christi celebrations, in identifying and reinforcing the social hierarchy of particular communities in the late Middle Ages, and in understanding the nature of the changes that occurred following the Reformation.⁹² There are some important parallels between the hierarchy of ceremonial participation and the hierarchy of church seating, which are worth considering in more detail. The Corpus Christi processions symbolised the unity expressed by the body of Christ, yet they also assumed the essentially synchronic form of a static hierarchical structure, defined by the magistracy. Through a specific and pre-determined position in the annual procession, each participating member of the community demonstrated his standing relative to that of others. Women, children, and non-freemen watched from the sidelines, symbolising the reality of their marginal

⁹⁰ Underdown, *Revel, Riot and Rebellion*, p. 44.

⁹¹ Clifford Geertz, 'Thick Description' in Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (London, 1973), p. 21.

⁹² Charles Pythian-Adams, 'Ceremony and the Citizen, the Communal Year at Coventry, 1450-1550', in Peter Clark and Paul Slack (eds), *Crisis and Order in English Towns, 1500-1700* (London, 1972), pp. 57-85; Mervyn James, 'Ritual, drama and social body in the late medieval English town', in Mervyn James (ed.), *Society, Politics and Culture: Studies in Early Modern England* (Cambridge, 1986), pp. 16-47.

involvement in the economic and political life of the community. The celebrations in Coventry similarly dramatised the relationship between the rulers and the ruled.

Within such a structure, change could only take place by publicly dramatised conflict, resolved by arbitration or judicial decision. The pew hierarchy as expressed in seating plans was, similarly, a static representation of a hierarchical structure informed by ideals of a stable social order at a time of great fluidity and change. Mervyn James suggests that, time and again, the Corpus Christi celebrations at York and Chester were accompanied by lawsuits, riots, and even by bloodshed between guilds competing for the symbols of precedence. Unlike aristocratic honour that was derived from blood, lineage, and activity and office-holding, urban societies derived their honour from the corporate status of their guild or town, and ultimately from God himself.⁹³ Social mobility prevailed within the play cycles and they were thus able to register changes in the status and economic well-being of the constituent guilds and provide a mechanism by which status, and honour might be redistributed with a minimum of conflict. Eventually these changes could be worked through to the procession and endowed with the formal sanction of the magistracy.⁹⁴ Like Corpus Christi processions, church-seating plans and pew disputes played a pivotal role in reconstituting the social order. Indeed, the analogies drawn here are not to suggest that pew plans themselves resemble a procession of citizens in any literal sense. Rather, both served as symbolic devices that recognised and legitimated social hierarchies within the community.

There is evidence that these issues of status competition were particularly acute in the late-sixteenth century. Robert Tittler argued that there was a particular crisis of

⁹³ A. J. Fletcher, 'Honour, Reputation and Local Officeholding', pp. 92-115.

⁹⁴ James, 'Ritual, Drama and the Social Body', pp. 30-38.

authority during this period in which local elites felt they could no longer count on the unquestioning obedience of their subordinates; deference could no longer be assumed, it had to be won. One way of commanding respect, Tittler argues, was through the rearrangement of seats in a variety of social and political contexts. The problem of deference became more acute in ^{the} mid-sixteenth century in both towns and rural parishes, resulting in the concurrent elaboration of the role of local governing officials.⁹⁵ The upheavals of the 1590s emphasised to the ruling elite the problems of commanding deference and respect from their fellows for the business of government. During a period of inordinate discontinuity and innovation, therefore, patterns of symbolic usage became increasingly important in upholding order. Where traditional usage such as the Corpus Christi processions fell under censure, investiture in other forms, such as public seating, seemed 'a virtually logical and even imperative symbolic phenomenon'.⁹⁶ These changes were roughly contemporaneous with the rise in importance of certain forms of public seating, in particular the elaboration and elevation of the mayoral seat, the appearance of the master's chair in the schoolroom, and in the strict concern for precedence in university degree granting ceremonies.⁹⁷ The use of public seating did not only denote political authority within the governing structure, but also social status within the wider community. As such, the order of precedence in church seating plans was not a concern confined to the governing elite in local society, but to all those who claimed membership of the community.

Pews therefore encapsulate the complexities of social stratification in an age where the force of social, economic and religious change brought about fundamental

⁹⁵ Robert Tittler, 'Seats of Honour, Seats of Power: The Symbolism of Public Seating in the English Urban Community, c. 1560-1620', *Albion*, 24:2 (1992), pp. 207-8.

⁹⁶ Tittler, 'Seats of Honour, Seats of Power', p. 214.

⁹⁷ Tittler, 'Seats of Honour, Seats of Power', pp. 216-17.

transformations of the hierarchies of rural and urban parishes, and of the internal landscape of the church. Churches were the environment in which the ‘hierarchy of order, honour and respect was most visibly represented and insisted upon’, and thus where the competition for the symbols of status, and especially pews, was particularly intense.⁹⁸ However, pew plans were clearly problematic as they attempted to fix the social order in a period of fluidity and change. Church seating plans and pew disputes are therefore particularly revealing in that they reflect how contemporary ideals of social stability collided with the realities of social change and the complexities of social stratification, and became a means through which the social order was re-articulated.

V

Sources

The analysis of pew disputes drawn from an extensive geographical area over an extended period of time is intended to ground this thesis in a wide range of quantifiable data whilst simultaneously allowing for the ‘thick description’ of individual social dramas. The records of the ecclesiastical courts are an obvious foundation for this type of analysis. However, this archive of complaint and conflict has been supplemented in what follows by churchwardens’ accounts, parish registers and vestry minutes, which provide insight into the parochial administration of pewing systems. These sources also often contained pew lists and plans that are analysed here alongside rate assessments and other taxation records.

At the heart of this thesis is the evidence of several hundred pew disputes heard before the church courts in the period c.1550-1700. Although disputes were not the only

⁹⁸ Steve Hindle, ‘Custom, Festival and Protest: The Little Budworth Wakes, St. Peter’s Day, 1596’, *Rural History*, 6:2 (1995), p. 169.

focus of the church courts' activity in this period with regard to seating, the evidence these causes generated was extensive and contains rich descriptions of the social hierarchy and of perceptions of honour and status. The jurisdictions examined in this thesis include the dioceses of York, of Chester, of Coventry and Lichfield, and of London. The area covered by the diocese of York possessed a number of ecclesiastical courts; indeed, in the northern province of York there was little clear differentiation between the provincial courts and those of the diocese of York.⁹⁹ The sample considered here is made up of pew disputes and faculties from the consistory court at York, the Court of Chancery, and the courts of certain peculiar jurisdictions, in particular that of the Dean and Chapter of York, in the period 1550-1700.¹⁰⁰ The material from the diocese of Chester is the most complete. The diocese itself was, uniquely, presided over by *two* consistory courts in the sixteenth and seventeenth centuries, one in the city of Chester, and the other in the archdeaconry of Richmond. Appeal cases from the consistory at Richmond were transferred directly to the chancery court at York, and therefore survive in the records from the diocese of York.¹⁰¹ The sample from the diocese of Chester comprises both office and instance causes and a number of petitions for faculties.¹⁰² The papers from the diocese of Coventry and Lichfield relate to cause papers heard at the bishop's consistory court that are associated with faculty cases between 1595 and 1700. This sample excludes cases from peculiar jurisdictions.¹⁰³ The London evidence is anomalous to the extent that it includes faculties issued by the vicar-general, but in contrast to the Coventry and Lichfield

⁹⁹ Ronald A. Marchant, *The Church Under the Law: Justice, Administration and Discipline in the Diocese of York 1560-1640* (Cambridge, 1969), pp. 64, 79, 103-7.

¹⁰⁰ BL: Various.

¹⁰¹ John Addy, *Sin and Society in the Seventeenth Century* (London, 1989), pp. 8-9.

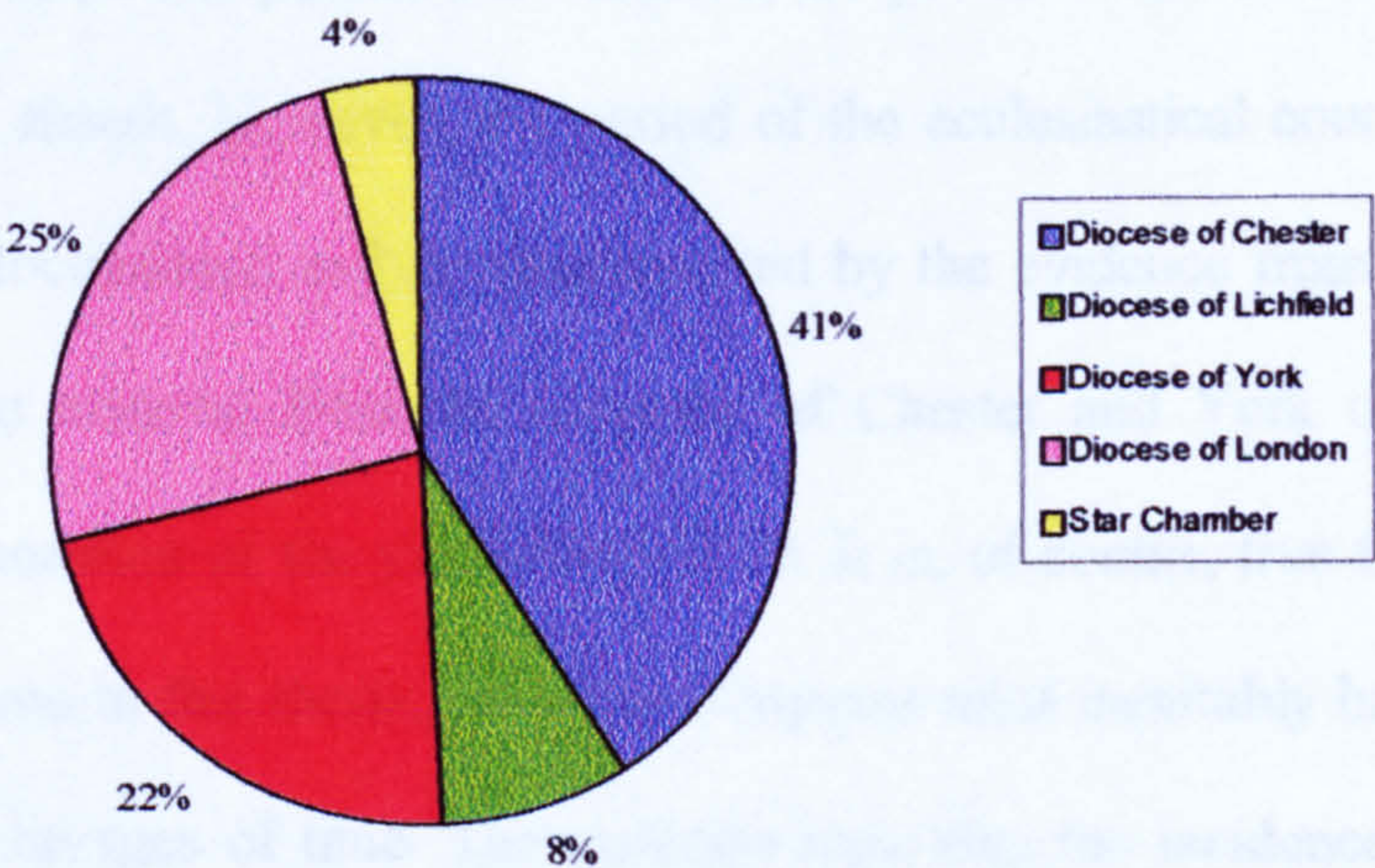
¹⁰² CRO EDC.5 (1550-1700).

¹⁰³ LRO B/C/5 1595-1700.

material, it does not contain any instance causes.¹⁰⁴ Finally, the records of the court of Star Chamber for the reign of James I (1603-1625) were analysed in order to provide a more diverse, national, perspective, and to measure the typicality of the regional studies.¹⁰⁵

In all, this thesis is based upon a reading of 691 pew disputes in five jurisdictions in the period c. 1550-1700. Of these, 404 (65 per cent) were instance causes. Taken together, the disputes involve the depositions of 1809 witnesses at an average of 2.61 per case. The jurisdictional and geographical distribution of the sample is indicated below (Figure 1.1).

Figure 1.1: The Distribution of Pew Disputes in Five Jurisdictions, c.1550-1699 (n=691)



The sheer geographical extent of jurisdictions ranging from as far north as Westmorland, as far south as Dorset, as far east as Essex, and as far west as Denbighshire, ensures that the communities studied are not drawn from any single

¹⁰⁴ LMA DL/C/338-345: 1601-1685.

¹⁰⁵ PRO STAC 8.

particular economic or topographical region. Indeed, the sample is as diverse as one might imagine. The dioceses considered also included a number of important cloth making and manufacturing regions such as Rochdale, Kendal, and the heathlands of the west midlands. They also contained ports such as Whitehaven and Workington, and mining areas such as Wensleydale, Nidderdale and the Peak District. The diocese of London was specifically chosen to represent the unique problems of defining and describing status in the unique urban environment created by the metropolis.

It is, of course, important to emphasise the particular difficulties raised by evidence of this kind. The records of the jurisdictions analysed here are not an unbroken series, and none quite covers the entire period under consideration. Whilst the sample from Coventry and Lichfield, for example, commences only in 1595, the Star Chamber material covers only the Jacobean period. Furthermore, the period of the civil wars and Interregnum are entirely absent. However, the period of the ecclesiastical courts' most intense activity is well documented and is supplemented by the evidence from the Star Chamber. Moreover, the material from the dioceses of Chester and York cover the entire period with the exception of the years 1643-1659. It is, of course, true that in all the jurisdictions considered in this thesis, some pew disputes must inevitably have been lost or not survived the ravages of time. The statistics regarding the incidence of pew disputes should therefore be recognised as reflecting the residual documents. These records are thus representative of a *minimum* figure for the incidence of those disputes that reached the courts, let alone those that did not.

Churchwardens' accounts, parish registers and vestry minutes from a variety of jurisdictions have also been analysed for memoranda relating to pews; for pew lists and plans; for records of parish rates; and for references to the allocation of seats and the

existence of pew payment systems. The accounts consulted in this thesis are drawn from a combination of primary and secondary sources and originate predominantly from Dorset and from the Midland counties. However, there are a small number of records from the south and southwest, and a few from the north of England. The patchy survival of these records of the local workings of the pew system have been supplemented by pew lists and plans in both printed and manuscript forms. In chapter seven, a more detailed perspective on the significance of pew disputes and the pew plan is attempted through the consideration of ^{three} local case studies in ~~three~~ parishes from each of the key jurisdictions examined in the thesis, namely, York, Chester and Coventry and Lichfield.

VI

Methodology

This thesis is, therefore, designed to investigate the relationship between church seating arrangements and the social hierarchy of local communities in sixteenth and seventeenth century England. Chapter two, therefore, explores both legal and official views regarding church seating and status. Chapter three examines the nature and chronology of conflict over pews, and the social profile of disputants. The fourth chapter explores popular perceptions of the social order through the analysis of the depositional evidence generated by pew disputes. Chapter five seeks to explain the chronology of pew litigation in the light of ecclesiastical policy and the reaction to these policies in the localities, particularly during the 1630s. However, because pews were a material, as well as a symbolic, resource, chapter six considers the possibility that dispute was a function of the financial implication of changing methods of pew allocation. Finally, through the consideration of the *meaning* of conflict over church

seating as it erupted in the context of three parishes over a number of years, chapter seven analyses the role each of these themes played in helping to construct the local social order.

Set out in one detail context/area etc how
English church pew. as indicators of status
& configuration of social status

Chapter Two

Pews and Social Status

The following discussion is specifically concerned with both legal and official views regarding church seating and status. These issues are discussed fully here in order to throw into greater relief popular reactions to these perspectives discussed in the chapters that follow, especially chapter four, which will consider *popular* perceptions of the social hierarchy. The following discussion will therefore consider the relationship between the law of church seating and common practice at the local level; the nature of the 'customary system' of allocating pews to properties; the role of the churchwardens and other parish elites in the placement of parishioners; the potential for conflict between those groups that claimed the power to order; the regulation of the liturgical, social and symbolic space in the church; the range of criteria by which the churchwardens and the ecclesiastical authorities decided the social status and placement of an individual in the seating plan; and finally, through the consideration of a number of pew plans, this chapter will consider whether the pew plan constituted a 'social map' of the local community.¹

I

Common Law and Common Practice

By the 1880s, the system of renting out pews in return for a payment had become customary. The system had, however, become so abused that seats in church were the preserve of the elite, whilst the majority of the population were excluded altogether. Consequently, many Victorian polemicists blamed the system for the

¹ David Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England 1603-1660* (Oxford, 1985), pp. 29, 31-2.

large number of people leaving the established church in favour of dissenting chapels. As a result, much of nineteenth century writing on pews is imbued with *a priori* interpretation of sources, which make the legal criteria by which pews were held difficult to untangle.² Recent research has compounded the difficulties by subjugating consideration of pews to wider concerns, and restating nineteenth century interpretations and polemic. Kevin Dillow has done much to unravel the complexities of the law surrounding pews; to establish which courts enjoyed jurisdiction over church seating; and put both in the context of contemporary practice.³ The following discussion summarises Dillow's detailed and definitive account.

The law relating to church seats was developing significantly during the sixteenth and seventeenth centuries. The prescriptive title to pews, usually in right of a piece of real property to which the pew was considered appurtenant, was a matter of concern for the common law courts, usually by virtue of writs of prohibition which had removed disputes from the jurisdiction of the ecclesiastical courts. The ecclesiastical courts were not technically able to override a prescriptive title, or decide its validity. Proof of occupation 'time out of mynde' was a sufficient basis for prescription at the common law courts, but the active proof of repair was also important. Proof of repair was also necessary to establish the right to a particular aisle and the seats therein, and from 1662, this was based upon inheriting the title from the original founder or builder.⁴ The legal theory of church seating was unique in being derived solely from precedents of this sort. The majority of cases

² See for example, J. M. Neale, *The History of Pews* (Cambridge, 1843); Alfred Heales, *The History and Law of Church Seats or Pews*, 2 volumes (London, 1872); and for a more balanced contemporary view, W. J. Hardy, 'Remarks on the History of Seat-Reservation in Churches', *Archaeologia*, 53 (1892), 95-106.

³ Dillow, 'Church-Seating Arrangements', Chapters 2 and 3.

⁴ Dillow, 'Church-Seating Arrangements', pp. 28-31, 39-40.

establishing legal precedent concerning church seats were heard in the early seventeenth century at the height of the common law courts' activity and primacy of jurisdiction.

Most disputes, however, turned not only on title, but also on possession and usage. These prescriptive rights were determined at ecclesiastical law on the basis of the legal authority of the ordinary to order churches in his diocese as he wished and the parson's claim to the freehold of the church. The ordinary's explicit right to allocate seats in church was established in law in 1496. Furthermore, in 1612, seats that were fixed to the soil of the church were, as part of the church fabric, determined to be the freehold of the parson. However, only in the chancel did claims to freehold imply exclusive right. In the nave, seats were reckoned to be the freehold of the parson but also for the 'greater' convenience of the parishioners for whom the floor of the church was common. In the nave then, the ordinary held the exclusive right to control seats. With the exception of the chancel, the parson's claim to freehold in the soil of the church and the seats that were attached to it was in reality little more than 'a legal nicety to complicate the establishment of a title to a seat by an individual'.⁵

Repairs to, and the provision of, pews were the financial responsibility of the parishioners, although the ordinary still claimed a right to dispose of the costs of the building and repair of seats. However, in practice, this meant that the ordinary would delegate decisions about church seating to the local parish officers, reserving the right to confirm decisions they had made. Churchwardens usually made decisions based on local custom and practice and took advice from chief inhabitants, patrons and other parish elites. Churchwardens were effectively unable to establish a prescriptive title to order the seats of their church independent of the ordinary. In

⁵ Dillow, 'Church-Seating Arrangements', p. 35.

some cases, the ordinary would be invited by petition to issue faculties that regulated the usage of certain pews.⁶ The ecclesiastical policies of the 1630s, in particular orders for the uniformity of seats in churches, undermined these customary arrangements and often brought the church hierarchy into direct conflict with parishioners and the local elite.⁷

By and large, common law interference was negligible. The rigorous proof required for a prescriptive title was sufficient to keep all but the most complex cases under the jurisdiction of the ecclesiastical courts. Prerogative courts such as Star Chamber and the Council in the Marches of Wales were involved only where plaintiffs alleged that ecclesiastical process had been subverted. The most significant of these was the court of Star Chamber, which was not used as a court of first instance, but as a court of appeal or as a means of breaking a rival's resolve. The Council in the Marches of Wales exercised wider powers and jurisdiction than Star Chamber, derived from the monarch's position as supreme ordinary of the church, which allowed pew cases to be brought before it directly. In exceptional cases, usually involving failure to keep the peace or assault, cases might be referred to the assizes, but they were invariably returned to the ecclesiastical courts for a decision on the occupancy of the seat itself. Manor courts also often acted as a means of official arbitration in disputes over seating.⁸

II

The Customary Allocation of Pews

That litigants were well versed in the law of church seating is evident from

⁶ Dillow, 'Church-Seating Arrangements', pp. 31-43.

⁷ See Chapter 5 below.

⁸ Dillow, 'Church-Seating Arrangements', pp. 45-50.

their statements to the ecclesiastical courts. Anthony Ward of Burnsall (Yorkshire, West Riding) testified in 1695, for example, that according to Canon Law all seats in the nave were under the jurisdiction of the ordinary and that no person ought to erect, pull down, demolish or remove any seats in the nave without his leave or consent.⁹ Similarly, in a pew dispute from Thirsk (Yorkshire, North Riding) in 1677 it was alleged that no person could ‘by law challeng[e] or claim or has any propriety to any seat in any parish church in this Realm but all seats are in the sole disposition ~~of the~~ of the place where by him assigned and confirmed according to quality and estate’.¹⁰

Indeed, the testimony of litigants in pew disputes convincingly demonstrates this sense of popular legalism. Litigants relentlessly hammered home their prescriptive rights using the language of custom and memory, and emphasised their continual repair and usage of the seat in question. The interrogatories in a pew dispute from Wigan (Lancashire) in 1599 were specifically concerned to discover if the defendant in the dispute had ever been ‘interrupted’ in his use of the seat in controversy by which his ‘pretended prescription mighte be shaken, wekend or quaryled’.¹¹ Concerns that the use of a seat by another party might precede a rival claim were evident in a case from Winwick (Lancashire) in 1611. Geoffrey Holecroft had let his title to a seat to Nicholas Bolton in return for a loan of ten shillings. Bolton had thereafter allowed Edward Holland to use the seat. The strength of popular internalisation of the law is evident in Holecroft’s response. ‘Suspecting the weaknes’ of his title to the seat and concerned that Holland might ‘in tyme by continuall use make clayme’, Holecroft petitioned the churchwardens to

⁹ BI CP.H 5781 1695: Burnsall.

¹⁰ BI CP.H 3289 1677: Thirsk.

¹¹ CRO EDC.5 (1599), 17: Wigan.

erect a seat behind his for Holland to use.¹² With similar concerns in mind, individuals frequently placed friends, servants and other family members in their seats in their absence. Elizabeth Maddock of Davenham (Cheshire) alleged in 1688 that her master, Robert Clayton, had often commanded her and a manservant to sit in his seat in the church in order to preserve his possession of it.¹³ In a similar fashion, in 1695, John Lathom ordered his servant, Joseph Mayo, to sit in a seat in Prescott church (Lancashire) as he ‘had a privilege to it’. As the seat was often crowded, Mayo approached Lathom about sitting elsewhere in the church. Lathom replied that he wanted his servants to sit in that particular seat in order ‘to keep up his privilege’. Indeed, a former servant of Lathom’s father testified that when his master had claimed the right to the seat he had also ordered that his servants should sit there ‘in pursuance thereof’.¹⁴ In 1620, Hugh Wynnington, a gentleman from Cranage (Cheshire), complained that Elizabeth Cotton and her son had challenged his occupancy of a seat in church ‘not regarding’ his ‘ancient right, usage, and possession’ in an attempt to dispossess him of his ‘estate, right, interest, usage and prescription therein’.¹⁵ Parishioners were often deeply concerned to preserve their right to a seat and their anxieties are evident in their use of others to help keep their position in periods of absence.

Pews held by a prescriptive title were considered easements and were thus claimed as appurtenant to a house, for otherwise it would have been possible to retain a right to a pew whilst living outside the parish. If a man sold only lands and not his house, he retained possession of his seat. For the same reason, a new house built on the estate of a man holding a pew did not secure a legally enforceable title

¹² CRO EDC.5 (1611), 33: Winwick.

¹³ CRO EDC.5 (1688), 4: Davenham.

¹⁴ CRO EDC.5 (1695), 13: Prescott.

¹⁵ PRO STAC 8/297/26.

for that house.¹⁶ Litigants hoping to claim a prescriptive title to a pew reiterated this aspect of the law. Thomas Ellis alleged that his ancestors ‘had of right quietly used and enjoyed’ a seat in Kennington Church (Kent) ‘as appendant or appurtenant to their said house’.¹⁷ Ranulph Billington testified in 1603 that he had heard ‘by Credible reporte’ from his ‘father and other ancienne men’ that the seats in Little Budworth church (Cheshire) had been appointed to ‘howses’. Hugh Houlbrooke further deposed that there had been ‘an agreemente . . . that everie man shall be placed in his forme’, which was thereafter to continue to belong to his house in order to ‘avoyd all controversies and sutes’.¹⁸ William Tatham of Pontefract (Yorkshire, West Riding) claimed two seats in the church in 1649 by right of his messuages and tenements in the town.¹⁹ Likewise, Edward Smith of Wakefield (Yorkshire, West Riding) testified in 1671 that fifty years previously, Richard Poole and Richard Wilson had sat together in a pew by right of their houses. In 1682 Benjamin Johnson claimed half a pew in Wakefield church for his servants by virtue of a tenement in the parish.²⁰ Anxieties concerning the right to a particular pew, therefore, often arose from the fear that a challenge to a seat was tantamount to a challenge to a person’s property. These concerns were evident in a pew dispute from Llanfair-Talhaiaian (Denbighshire) between William Vachan and his uncle Foulke Vachan. Foulke had allegedly plotted ‘to entitle himself’ to William’s ‘seat and burial place thinking thereby not only to leave William destitute of a place in his Parish Church’, but also hoping that he might ‘entitle himself’ to his nephew’s ‘messuage and lands’.²¹ The concerns expressed by these litigants were explicitly related to the manner in which

¹⁶ Dillow, ‘Church-Seating Arrangements’, pp. 38-9.

¹⁷ PRO STAC 8/129/17.

¹⁸ CRO EDC.5 (1603), 45: Little Budworth.

¹⁹ BI CP.H 4409 1649: Pontefract.

²⁰ BI CP.H 2896 1671: Wakefield; BI CP.H 4992 1682: Wakefield.

²¹ PRO STAC 8/287/31.

prescriptive seats were held, which could leave individuals feeling that not only their seat in church, but also their estate in the parish, was vulnerable.

However, where some litigants claimed the right to a seat in relation to their property, others challenged this particular interpretation of the law. In 1686, Hugh Barnett alleged that there were several seats in the church of Kirkby Stephen (Westmorland) that belonged to certain messuages in the parish, but that there were also other tenements in the parish that had no seats assigned to them.²² Indeed, Edmund Barker alleged in 1690 that when Elizabeth Stanfield sold her property in Heptonstall (Yorkshire, West Riding), she had reserved her seat in the church to herself and it had descended through her family line. Barker further alleged that he had not heard of any seats in the church that had appertained to a particular messuage in the parish.²³ A number of litigants and deponents in pew disputes not only refuted claims to particular seats in church by virtue of property in the parish, but also emphasised the importance of other criteria by which parishioners ought to be placed. Jane Laithwaite of Ormskirk (Cheshire) alleged in 1677 that by the ‘lawes of this Realm . . . noe person or persons can lay . . . a prescription to a seate or burial place in navi Ecclesia in a particular Estate or terme for lives or yeares’. The ownership of seats or burial places in church, she claimed, was granted only to an individual.²⁴ Similarly, in 1639, the defendant in a pew dispute from St. Michael’s, Chester alleged that the ‘custom’ of the city was that seats were appointed to individuals ‘according to their ranckes and degrees with respect unto their persons, and not unto their howse’. The interrogatories also enquired as to whether the parishioners paid an ‘admittance’ when they were placed in a seat, ‘soe noe one might or may clayme any right or property in the said seats as belonging to their

²² TRANS CP. 1686/3 Kirkby Stephen.

²³ BI CP.H 4597 1690: Heptonstall.

²⁴ CRO EDC.5 (1677), 9: Ormskirk.

howses'.²⁵ Roger Moulde, the minister of Austrey (Warwickshire), claimed he knew nothing of a custom alleged by the defendant and a number of witnesses whereby 'every or any howsholder within the . . . parish may place what person soever he pleaseth in the seate wherein his Ancesters have used to sit'. Indeed, he was so incensed that he claimed that 'there is noe lawe to warrant any such Custome' as it was a 'verie unseemlye and undecent thinge that any such Custome should be in any place'.²⁶ These individuals were expressing their distaste of a system whereby parishioners were claiming the right to particular pews only by virtue of their possession of a property in the parish without reference to any other criteria, and without the consent of the churchwardens and the minister.

Historians have described this system of allocating seats to tenements as the 'customary' system.²⁷ Certainly, as we have seen, a number of litigants claimed the right to certain seats in the church on the basis of their property in the parish. However, most of the seats in churches, regardless of the claims of litigants in pew disputes, were allocated by the churchwardens, or were granted upon the payment of a rent or a specific term of years.²⁸ In practice, most seats in churches were allocated according to a range of criteria, some personal, some related to wealth, and all related to that wide range of factors that made up the status of an individual in the local social hierarchy. Indeed, few seats in early modern English churches were held prescriptively by individuals in the right of their houses, and therefore stood outside the churchwardens' power to control or allocate.²⁹

²⁵ CRO EDC.5 (1639), 9: Chester, St. Michael.

²⁶ LRO B/C/5 1608: Austrey.

²⁷ Underdown, *Revel, Riot and Rebellion*, p. 30.

²⁸ Dillow, 'Church-Seating Arrangements', p. 95. The issue of payments and rents for pews will be discussed in Chapter 6 below.

²⁹ For the exceptions to this see for example those seats that could be conveyed by deeds of indenture as appurtenant to a property: CRO EDC.5 (1683), 5: Middlewich; CRO EDC.5 (1683), 33: Prescott; CRO EDC.5 (1692), 16: Lawton.

III

Local Decision-Making and the Power to Order

In practice, the churchwardens as representatives of the ordinary usually carried out day-to-day decisions concerning the allocation of seats in parish churches. The involvement of the churchwardens at the parish level is evident in the depositions of witnesses and the testimony of litigants involved in pew disputes. Katherine Robinson, a 'very poore' woman from St. Peter's, Chester (Cheshire), deposed in 1616 that 'she hath knowne a custome . . . that the Churchwardens . . . have placed and displaced parishioners . . . at their pleasure and of their owne authoritie'.³⁰ Similarly, in 1602 Thomas Penstone of Whitchurch (Shropshire) testified that he had known the use and custom of the church for sixteen years and that 'as often as any seates . . . have been voide in the said churche . . . the churchwardens . . . have disposed in the right of their office . . . to the parishners at their pleasure'.³¹ In 1693, Richard Featherstone of Birmingham (Warwickshire) alleged that it had been the usual practice in the church for the churchwardens to 'place persons in any vacant seates'.³² The ordinary and the ecclesiastical courts, which usually upheld the churchwardens' decisions and actively enjoined parochial officers to resolve and mediate complex seating disputes, on the whole respected the rights of the churchwardens.

Indeed, there is less evidence of jurisdictional conflict between the ecclesiastical hierarchy and local church officials in faculties and pew litigation than we might expect. The following examples indicate that the ordinary often granted the right to decide the ordering of the church to the churchwardens and parishioners

³⁰ CRO EDC.5 (1616), 1: Chester, St. Peter.

³¹ LRO B/C/5 1602: Whitchurch.

³² LRO B/C/5 1693: Birmingham.

together. In Anstey (Hertfordshire) in 1629, the ordinary summoned the rector, churchwardens and parishioners to view the church. They were thereafter to decide any necessary alterations and amendments and place the parishioners according to their rank and degree.³³ Following the Restoration, the ‘power’ to allocate seats in St. Paul’s, Covent Garden (Middlesex) was given exclusively to the ‘inhabitants’ and the churchwardens. Likewise, at Holmfirth (Yorkshire, West Riding) in 1635, the Archbishop granted ‘full power and authoritie’ to a commission to allocate seats to the church to the parishioners according to their ‘degrees estates and condicons as yow in your judgements and discretion shall thinke meete and convenient’.³⁴

This resonant idiom of ‘power’ had also been used at Colne (Lancashire) in 1637, at Astbury (Cheshire) in 1663, at St. Paul’s, Covent Garden in 1665, and was again used in relation to the churchwardens of Chelsea (Middlesex) in 1675 when they were granted ‘full power and authority’ to place parishioners in a new gallery.³⁵ However, the authority to order might equally be subject to certain limitations by the ordinary. In 1675, John Renshaw of Worksop (Nottinghamshire) alleged that when the seats in the church had been altered in 1623, a ‘writinge’ was ‘drawne purportinge how and to whome the viccar and then Churchwardens there, designed the same’. However, as the plan had not been confirmed by the ordinary, Renshaw deemed the decision invalid.³⁶ In November 1630 the chancellor of London stipulated that no place in Hadley (Middlesex) was to be granted without his consent.³⁷ In 1617, the Bishop of Chester ordered that ‘noe inovacion or alteracion of any seate or pewe’ may ‘be made or donne without the privitie or Consente of

³³ LMA DL/C/343: Ansty (Hertfordshire), 1629.

³⁴ BI REG.32. f94 Ar. 1635: Holmfirth.

³⁵ CRO EDC.5 (1637), 25: Colne; CRO EDC.5 (1663), 4: Astbury; LMA DL/C/345: St. Paul’s, Covent Garden (Middlesex), 27 Sept. 1665; LMA DL/C/345: Chelsea (Middlesex), 14 Sept. 1675.

³⁶ BI CP.H 3262 1675: Worksop.

³⁷ LMA DL/C/343: Hadley (Middlesex), 8 Nov. 1630.

him'.³⁸ Although the churchwardens of St. Giles-in-the-Fields had the right to place parishioners, they were inhibited in 1638 from placing any person in a pew that had been confirmed by a faculty.³⁹ This specific inhibition was restated with particular force and regularity following the Restoration, precisely at the time when the number of faculties for pews was rising, in what seems like a conscious effort by the episcopacy to re-establish its 'power' to order.⁴⁰

The right to control the assignment of seats carried great symbolic and real power in local society, and *could* on occasion lead to contention between those who claimed this authority. Sensitivity to these rights at times provoked clashes between the parson and the ordinary. In a dispute between the parson, William Foster, and a local gentleman over a pew in the chancel of Barrow church (Cheshire), the curate challenged the Bishop's right to intervene as the chancel was 'Mr. Foster's inheritance'.⁴¹ In like manner, in 1681 the owners of the rectory at Giggleswick (Yorkshire, West Riding), Roger Peyps and William Armistead, claimed that any seat in the chancel belonged to them as appurtenant to their freehold. They further testified that only they had the right to dispose of the seats in the chancel.⁴² Churchwardens, ministers and parishioners occasionally challenged the desirability of the ordinary exercising his right to question their decisions at the parish level when he lived so far from the parish. Thus Henry Farrer, the rector of Hemsworth (Yorkshire, West Riding) testified that he had moved the pulpit and a prominent pew to another place in the church on his own authority, with good cause and with the agreement other parishioners 'as is usually done by other parsons and

³⁸ CRO EDC.5 (1617), 32: Hanley.

³⁹ LMA DL/C/344: St. Giles-in-the-Fields (Middlesex), 14 April 1638.

⁴⁰ Dillow, 'Church-Seating Arrangements', pp. 73-4.

⁴¹ PRO STAC 8/292/08.

⁴² BI CP.H 3505 1681: Giggleswick.

Churchwardens who live in places far distant from the Ordinary'.⁴³ Indeed, there was a sense that although the Bishop's legal right legitimately extended to the allocation of seats, he should nevertheless not act without the advice of local ecclesiastical and secular authorities. In 1608, the Bishop of Chester granted a faculty for a pew in Marbury church (Cheshire) to Hugh Wicksteed. However, the churchwardens had previously inhibited Wicksteed from erecting a seat as the 'greater parte and better sorte' of parishioners did 'dislike' it. Mr. Bennion, a witness in the case, testified to his displeasure at the Bishop's actions by claiming that he would venture his living that the Bishop's grant was 'voide and that hee had noe authoritie to dispose of the same withoute the Churchwardens and parishoners'.⁴⁴ Likewise, in 1611, the Bishop was prompted to revoke a faculty that had been granted to William Moreton to build a seat in Congleton church (Cheshire). Witnesses deposed that the Bishop's original decision in favour of Moreton had been made upon Moreton's 'frivolous surmyses and . . . untrue suggestions'. The mayor, corporation, and the 'inhabitants' were concerned that the Bishop had acted in this case without the 'privitie of the Corporation'.⁴⁵

It is evident, moreover, that churchwardens and ministers rarely acted alone at the local level. Commissions to reorder the seating in churches were often sent to the churchwardens, gentlemen and 'leading parishioners'. In South Mimms (Hertfordshire), the vicar, churchwardens and parishioners had been 'accustomed to place the gentlemen of the parishe'. In 1617 they petitioned the court for the restoration of their 'free libertie of placing parishioners' following Thomas Conisby's incursion into the seats of three established gentlemen.⁴⁶ Sir Edmund

⁴³ BI CP.H 4418 1686: Hemsworth; BI CP.H 5959 1686: Hemsworth.

⁴⁴ CRO EDC.5 (1609), 12: Marbury.

⁴⁵ CRO EDC.5 (1611), 13: Congleton; CRO EDC.5 (1612), 46: Congleton.

⁴⁶ LMA DL/C/341: South Mimms (Hertfordshire), 1617.

Ashfield, Richard Bowle, the churchwardens, and the minister undertook the repewing scheme at Chesham (Buckinghamshire) in 1606.⁴⁷ At Hatfield (Yorkshire, West Riding) in 1695, the Archbishop's court granted 'full power and authority' to the vicar, the churchwardens, and a number of local gentlemen and esquires, 'or any four or more' of them to allocate seats in the church.⁴⁸ In 1663, a commission for 'regulateing the seates' was granted to the clergy and gentlemen of the town of Rotherham (Yorkshire, West Riding).⁴⁹ Similarly, a commission to allocate pews at Weaverham church (Cheshire) in 1635 included the churchwardens, 'gentlemen' and 'other inhabitants'.⁵⁰

Indeed, other local officeholders and local elites had an important role in endorsing the assignment of seats, a process that reflects the involvement of both secular and spiritual hierarchies in the ordering of the parish church. In Church Stoke (Montgomeryshire) consent was required from the curate, the churchwardens and the sidesmen, alongside the 'general liking' of freeholders and the 'best sort'.⁵¹ Those present at the actual point of allocation of seats in the church, or in the confirmation of a seat assigned by the churchwardens, were variously described as the 'better sort' of the parish, the 'most substantial', the 'inhabitants', or even the 'greater part of the inhabitants'. At Egton (Yorkshire, North Riding) in 1628, the Archbishop of York, the minister, the churchwardens, and the 'most part' of the 'most substantial' inhabitants assigned a stall to Richard Coates.⁵² It was alleged in 1628 that the churchwardens of St. Oswald, Chester placed parishioners with the consent of the 'beste and Cheefest' of the parish.⁵³ At Manchester (Lancashire),

⁴⁷ Dillow, 'Church-Seating Arrangements', p. 90.

⁴⁸ BI FAC 1695/1: Hatfield.

⁴⁹ BI CP.H 4597 post-1664: Rotherham.

⁵⁰ CRO EDC.5 (1665), 19: Weaverham.

⁵¹ PRO STAC 8/27/10; PRO STAC 8/244/28.

⁵² BI CP.H 1788 1628: Egton.

⁵³ CRO EDC.5 (1628), 2: Chester, St. Oswald.

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‘certen cheefe and principall parishoners’, or ‘primary men’ of the town assigned places in a new gallery built in the 1630s.⁵⁴ These groups not only wielded economic power at the local level, but also real social and political authority in determining the place in which people occupied in the church and their place in the local social hierarchy. Thus the commission for placing the parishioners of Kirkburton (Yorkshire, West Riding) in 1638 read its recommendations before the ‘more part of the best of the inhabitants’.⁵⁵ Likewise, when Astbury church (Cheshire) was made uniform in 1634, a commission was granted to William Brereton, the Lord of the Manor, the parson and ‘sundry other gentlemen and inhabitants’, who were to act on behalf of and with the consent of the parishioners ‘of the best sort’.⁵⁶

In other areas, the mayor and corporation, or even the Lord of the Manor, played a role in determining the allocation of pews, as was the case at St. Peter’s, Boston (Lincolnshire) and at Longborough (Dorset) respectively.⁵⁷ In the town of Doncaster (Yorkshire, West Riding), Thomas Mountney was placed in a pew ‘by the consent and allowance of sundry several successive mayors and principal officers and magistrates, and sundry successive churchwardens’.⁵⁸ In a similar fashion, a commission granted by the Archbishop of York to allocate seats at St. Mary’s, Beverley (Yorkshire, East Riding) in 1638 included the mayor and some of the aldermen of the town alongside the vicar and the churchwardens.⁵⁹ A commission granted to regulate all the seats in the nave and to allot seats to the parishioners of Scarborough (Yorkshire, North Riding) in 1685 included John Knowsley esquire, then mayor of the town.⁶⁰ In urban parishes in particular, several hierarchies were

⁵⁴ CRO EDC.5 (1636), 48: Manchester; CRO EDC.5 (1639), 4: Manchester.

⁵⁵ BI CP.H 2261 1638: Kirkburton.

⁵⁶ CRO EDC.5 (1636), 81: Astbury.

⁵⁷ Dillow, ‘Church-Seating Arrangements’, p. 91.

⁵⁸ PRO STAC 8/24/4.

⁵⁹ BI CP.H 2576 1638: Beverley, St. Mary.

⁶⁰ BI CP.H 5738 post-1685: Scarborough.

represented in the process of placing parishioners in church. Parishioners who sought to build new pews at Grindon (Staffordshire) allegedly needed the ‘mutual consent’ of the minister, churchwardens, ‘sydemen and the maior and senior part of the parish’.⁶¹ At Sithney (Cornwall) in 1605, Thomas Penrose alleged that ‘the vicker . . . together with the consent of the gentlemen of the saide parishe, and the most parte of the Twelve men, wardens, and other sufficientes of the Inhabitantes of the . . . parishe’ assigned the seats in the church.⁶²

Concern over pew placements could also result in parish vestries taking control of the process of allocation. In July 1628, the vestry of Sherborne (Dorset) stipulated that the churchwardens could only sell a seat if it was in ‘their actual possession’, and that any sale contrary to the orders of the vestry ‘shalbe utterly voyd’.⁶³ A petition to erect a gallery at St. Martin-in-the-Fields (Middlesex) in 1642 was confirmed by the vicar, the churchwardens and the vestry.⁶⁴ Likewise at Edmonton (Middlesex) in 1670, the allocation of seats to parishioners was agreed at a meeting of the vestry.⁶⁵ At Enfield (Middlesex) in 1678 and at Twickenham (Middlesex) in 1681, the parish vestry decided on the allocation of pews and gave their consent to build new seats.⁶⁶ This process seems to have been particularly common in the areas surrounding the capital, and it was especially evident in London itself, with vestries either reinforcing the decisions of the churchwardens or reserving the right to allocate themselves seats. At St. Margaret’s, New Fish Street (London) in 1596, the vestry ordered that no one could allocate a pew without the approval of ‘six of the ancient of the parish’. In the event of a split vote, the minister

⁶¹ LRO B/C/5 1632: Grindon.

⁶² PRO STAC 8/140/29.

⁶³ DRO PE/SH VE1: Sherborne Book of Church Orders, f.33, July 1628.

⁶⁴ LMA DL/C/344: St. Martin-in-the-Fields (Middlesex), 27 Dec. 1642.

⁶⁵ LMA DL/C/345: Edmonton (Middlesex), 18 Feb. 1670.

⁶⁶ LMA DL/C/ 345: Enfield (Middlesex), 5 Dec. 1678; LMA DL/C/345: Twickenham (Middlesex), 17 Oct. 1681.

held the casting vote. Any man or widow that flouted their decision was fined 20s, whilst a married woman was to be 'removed out of all pews and have no place'.⁶⁷ At St. Martin's, Ongar (London) in 1627, the churchwardens were prevented from placing anyone without the consent of the vestry or some of the 'ancientest thereof', a practice that was also common in the London parishes of St. Andrew's Holborne in 1626, All Hallows the Great in 1579, and St. Stephen, Walbrooke in 1609. At St. Stephen, Coleman Street in 1657, the vestry appointed a special committee to oversee the allocation, and at St. Olave Jewry in 1578 the vestry determined that the assessor of the fifteenth should decide.⁶⁸

Indeed, evidence from pew disputes suggests not only that vestries appropriated the authority to place parishioners in their pews, but also that the process of allocating pews was often instrumental in the actual creation of parish vestries. In 1626, James Hililey of Halifax (Yorkshire, West Riding) was appointed to 'sett out' and to allocate seats in each pew to parishioners, along with eleven of the 'most sufficient parishioners'. At St. John's, Chester (Cheshire), the parishioners would assemble whenever it seemed expedient and nominate between two and six of the 'honest and more substantiall' men of the parish. The parishioners then gave these men the authority to 'viewe . . . seates' in the church 'according to . . . custome'.⁶⁹ In 1620 it was alleged that the custom at Heanor (Derbyshire) was that sixteen of the 'substantiall inhabitants and men of good Credite' were elected by the churchwardens and the 'greater part' to 'have power and authoritie to dispose of . . . together with ye churchwardens . . . by their common consent or by the consent of ye Maior and better sort of them ye said xvi men . . . and amongst other things of

⁶⁷ Guildhall Library MS 1175/1: The Vestry Minute Book of St. Margaret, New Fish Street, f.29. I would like to thank Professor Bernard Capp for this reference.

⁶⁸ Dillow, 'Church-Seating Arrangements', pp. 89-90.

⁶⁹ CRO EDC.5 (1595), 1: Chester, St. John.

and concerninge decent orderinge, placinge and usinge of seates . . . for ye parishioners'.⁷⁰ Vestries were also called into being as part of the process of settling and mediating pew disputes. During the determination of a pew dispute at Preston (Lancashire) in 1604, the 'four and Twentie of the said Towne and Corporacon or parishe' were called to 'viewe the said places' in controversy.⁷¹ According to the 'custome of placeing and appointinge' seats at Holy Trinity, Coventry (Warwickshire), the churchwardens were responsible for allocating seats to the parishioners. However, by 1663 there was a 'meetinge of Vestrie men' that had been 'designed for the hearinge, determininge and decidinge of Controversies and differences which might growe or arise about ye Seates'.⁷² The role of the churchwardens was thus circumscribed by a variety of parochial hierarchies, both secular and spiritual.

In the physical setting of the church, however, other groups in the parish held a different sort of influence over the allocation of seats in church. When Sir Thomas Ravenscroft sought a seat in Hadley church in 1630, the patron, minister and churchwardens appeared personally and placed him.⁷³ It was not only officeholders who had an important role to play in the ordering of the church, but also benefactors and patrons. The building of private chapels was a particularly strong impulse in the creation and control of ecclesiastical space, especially by 'presencing' the authority of secular elites. The repeated motifs of heraldry, carved on ornamented pews, depicted in stained glass windows, and chiselled into the fabric of funeral monuments expressed the prestige of a family's position and their claim to status in the local community. These symbols would be conspicuous to all parishioners on

⁷⁰ LRO B/C/5 1620: Heanor.

⁷¹ CRO EDC.5 (1604), 29: Preston.

⁷² LRO B/C/5 1663: Coventry, Holy Trinity.

⁷³ LMA DL/C/343: Hadley (Middlesex), 8 Nov. 1630.

every visit to the church.⁷⁴ The Massey's coat of arms was allegedly placed amongst other gentlemen's arms in the east and west windows in the church at Ashton-upon-Mersey (Cheshire) in 1637.⁷⁵ Likewise, Robert Cholmondeley's arms were 'stain'd or colour'd in Glasse' in the greater chancel of Lower Peover church (Cheshire).⁷⁶ These symbols were a powerful resource for protagonists in pew disputes. Simon Blakey, the defendant in a pew dispute from Colne (Lancashire) in 1631, testified that he did not believe that his rivals the Townleys were 'benefactors to the Church . . . more than other inhabitants of their degree and rancke'. However, the prestige of the Townleys was evident to all those who came to worship at Colne as 'the names of some of them have bine written or painted in severall places of that church and so are the ancestors . . . ingraved onto the outside of the . . . Church'.⁷⁷ Individuals also used and recognised these symbols of status and lineage as 'markers' of their place in the church. Roger Bickerton alleged in 1608 that his ancestor's burial place in Marbury church (Cheshire) adjoined a pew belonging to Hugh Wicksteed. Bickerton identified his right by a 'window right over the said buriall place' on which was engraved the names of his deceased relatives.⁷⁸ Gregory Man, a witness in a pew dispute from Whixley (Yorkshire, West Riding) in 1608, identified an enclosed pew as 'Hammerton's closet' as he believed that the 'armes . . . sett in glasse' on the pew belonged to the Hammertons.⁷⁹

Benefactors often emphasised the importance of their role in the upkeep of the church. They variously referred to their contributions to building work and repairs, and to the purchase of bells. One benefactor even referred to a sundial that

⁷⁴ C. Pamela Graves, 'Social Space in the Medieval Parish Church', *Economy and Society*, 18:3 (August, 1989), 297-322.

⁷⁵ CRO EDC.5 (1637), 88: Ashton-upon-Mersey.

⁷⁶ CRO EDC.5 (1686), 1: Lower Peover.

⁷⁷ CRO EDC.5 (1631), 2: Colne.

⁷⁸ CRO EDC.5 (1608), 17: Marbury.

⁷⁹ BI CP.H 426 1608: Whixley.

was fastened to the steeple of the church and to ‘two large books of Common Prayer very fairly printed at Oxford’.⁸⁰ ‘Good’, ‘noble’ and ‘worthy’ benefactors such as these were granted faculties for seats in the diocese of London in the seventeenth century.⁸¹ That these groups were given precedence in seating arrangements is made clear in a faculty from Chelsea (Middlesex) in 1675 where the churchwardens were ordered to assign seats in the new gallery particularly to those who had contributed to its costs.⁸² Humfrey Kay of Holmfirth was a ‘chief benefactor’ when the church seats were made uniform in 1635, and so was allocated twelve seats in a stall next to the pulpit and reading desk: one of the most prestigious seats in the church.⁸³ Similarly, Thomas Randall held a particular seat in Hanmer church (Cheshire) by 1597, as his ancestors had been benefactors to the church.⁸⁴ In pew disputes some litigants were anxious to emphasise their role as benefactors or patrons of the church in the belief that it might assist in their claim to a seat. Thus in a pew dispute from Congleton (Cheshire) in 1611, William Moreton alleged that his ancestors had been ‘benefactors as well to the building’ of the chapel.⁸⁵ Sir William Brereton and his ancestors had been patrons of the church at Ashton-upon-Mersey, a fact that he reiterated in a pew dispute with James Massey in 1631.⁸⁶

⁸⁰ For example, see: LMA DL/C/344: Hammersmith Chapel (Middlesex), March 1640; LMA DL/C/345: St. Martin-in-the-Fields (Middlesex), March 1667; LMA DL/C/345: Kensington (Middlesex), March 1682.

⁸¹ LMA DL/C/344: Acton (Middlesex), 26 July 1634; LMA DL/C/344: St. Clement Danes (Middlesex), 21 Feb. 1638.

⁸² LMA DL/C/345: Chelsea (Middlesex), 14 Sept. 1675.

⁸³ BI REG. 33. f94 Ar. 1635: Holmfirth.

⁸⁴ CRO EDC.5 (1597), 30: Hanmer.

⁸⁵ CRO EDC.5 (1611), 13: Congleton.

⁸⁶ CRO EDC.5 (1631), 3: Ashton-upon-Mersey.

IV

Status and Social Space in the Church

The participation of secular and spiritual authorities in the actual placing of parishioners alerts us to the fact that space in the church was not fixed. Indeed, the static nature of pew plans in a society that was experiencing profound political, economic, religious and social change is a reminder of why contention could be so fraught. Different groups and individuals tried to shape these symbols to conform to their own unique view of the social order. One way in which we can understand this process is through official references to empty, ‘vacant’ or ‘void’ places in the church whose meanings were shaped by the activities and discourses of the parishioners.

The word ‘void’ or its counterpart ‘vacant’ often meant quite literally a place, space, or seat that was not claimed by another, or that was not as yet allocated. Sara Hester was to be assigned a seat in St. Dunstan’s (West London) in 1629 which was ‘now voyde and not assigned unto any’.⁸⁷ Robert Brownfield built a seat in Budworth church (Cheshire) in 1593 in a ‘void place where never anie pue . . . was formerlie erected’.⁸⁸ Conversely, the defendants in a pew dispute from Taxall (Cheshire) in 1613 alleged that the space on the south side of the nave where masses had once been said could not properly be called a ‘void place’ as ‘sundrie’ parishioners had sat there over the previous fifty years.⁸⁹

These void places nonetheless echoed with the idiom of status and belonging. A seat at St. Mary’s, Beverley, that had once been ‘commonly taken up by strangers who came from Hull to live there during the sicknes tyme’ was granted

⁸⁷ LMA DL/C/343: St. Dunstan’s (London), 8 April 1629.

⁸⁸ CRO EDC.5 (1593), 15: Budworth.

⁸⁹ CRO EDC.5 (1613), 14: Taxall.

to a local gentleman, Dakins Constable, in 1639.⁹⁰ Likewise, when it was discovered that the Lord of the town of Stonden (Essex) had no seat specifically allocated to him in 1616, he was assigned a temporary place in an 'old pewe', in which 'no parishioners had used to sit for many yeares past...excepte only when strangers...did sometymes sitt there'. The seat was to be re-edified and repaired make it 'fitter' for him. A seat where 'strangers' had once sat now resonated with local power and status.⁹¹

Perceptions of space in churches were therefore fluid and subject to physical, linguistic and psychological alterations. In the 1560s, there had been a 'loose plancke' in Heanor church, 'which lay upon two stones . . . and the sayd place was then a voyd or vacant place and boyes or schollers sett ther[e]'. The place then came to hold a small seat that was used by women and midwives during churchings. By the early seventeenth century, an 'olde seate' where three men sat was built on the place and it ceased to be described as 'vacant'. As spaces in church were used for different purposes so they came to hold different social meanings, meanings that were subsequently expressed in the language of ecclesiastical description. In this way, a 'long Common seate' in St. Mary's church, Nottingham (Nottinghamshire) was partitioned in 1668, lined with green cloth, and had thereafter been used by 'any persons of reasonable quality'.⁹² When it was discovered that George Gilberd, who owned one of the 'fairest houses' in Colchester (Essex), had no pew assigned to him 'fitting his degree or calling' the parishioners and minister gave him leave to erect four pews in a 'vacant place' in 1628. In its previous life this space had contained an old chest on which the Sexton had sat, and had also been used to 'throwe the

⁹⁰ BI CP.H 2576 1639: Beverley, St. Mary.

⁹¹ LMA DL/C/341: Stonden Massey (Essex), 1616.

⁹² BI CP.H 3671 1686: Nottingham, St. Mary.

sweepings of the...church in'.⁹³ In a similar fashion, a certain 'vacant place' in Paull church (Yorkshire, East Riding) that had only been 'used to lay the rubbish and sweeping of the church in' had been used as a burial place for the wife of Leonard Robinson in c.1663. In the months following his wife's death, Robinson did 'take in and inclose' the space over the burial place, 'rebuilding repairing and beautifying' the seat that stood there.⁹⁴ Space in church was evidently created not only through common usage and familiar practice but also through the agency of the powerful.

However, some spaces in the church were not open to this kind of redefinition, and their meaning remained static. The belfry provides a particularly good example of this kind of space. Because the belfry represented marginal space within the church, it was occasionally used to cast the remnants of a pew that had been broken down by rivals in a dispute.⁹⁵ Indeed, parish officers had a strong sense of spaces that were considered to be marginal. John Hill, the incumbent of Holdenby (Northamptonshire) had allegedly become 'so indifferent' to matters of church discipline and ceremony by 1641 that he cared 'not if the communion table stand in the belfry'.⁹⁶ The belfry was often the lowest position in the church and those who sat in it were often of the lowest ranks of the social order. As we shall see in chapter four, parishioners often shared this perspective. Hence Sir John Peashall of Wistaston (Cheshire) insulted Thomas Moore in 1635 by telling him to 'sitt in the bellfraye amongst other Cottagers'.⁹⁷ These places would always resonate with shame and with low social status because of their position in relation to the foci of

⁹³ LMA DL/C/343: Colchester (Essex), 8 Aug. 1628.

⁹⁴ BI CP.H 3793 1689: Paull.

⁹⁵ See Chapter 3 below.

⁹⁶ David Cressy, *Travesties and Transgressions in Tudor and Stuart England: Tales of Discord and Dissent* (Oxford, 2000), p. 210.

⁹⁷ CRO EDC.5 (1635), 51: Wistaston.

worship, the pulpit and the communion table, which were located towards the eastern end of the church. Therefore a seat at Leek (Staffordshire) was considered by the churchwardens in 1664 to be a place unfit for George Hensham, a gentleman, as it stood 'too neere the Belfry which he thought too meane a place'.⁹⁸ The Belfry was not, however, the only marginal place in the church. Other places and spaces had become so defined by the manner in which they had been used in the past that they seldom, if ever, recovered recognition as suitable or desirable positions in the church. In the upper part of the south aisle of Marbury church there stood a 'Chest or Coffe' on which the 'songe men' sat. 'Some boyes and yonge people' had also sat there 'promiscuously'. When George Bickerton was offered this 'voyde place' on which to build a pew, it was considered 'not convenient' for a man of his status.⁹⁹ There were limits to the alterations in the use of and meaning of ecclesiastical space, even by the agency of the powerful.

V

Pews and Hierarchies

As we have seen, in the physical setting of the church building itself, 'all sorts and conditions of men' gathered together for communion, a ritual of inclusion that was nonetheless ideologically supported by catechisms, sermons and homilies that emphasised hierarchies of age, wealth, honour and status.¹⁰⁰ As is well known, these notions of order and place were well established in early modern thought and practice through two key metaphors, namely the 'Great Chain of Being' and the 'Body Politic'. These metaphors of early modern social, religious and political

⁹⁸ LRO B/C/5 1664: Leek.

⁹⁹ CRO EDC.5 (1637), 4: Marbury.

¹⁰⁰ John Bossy, 'Blood and Baptism: Kinship, Community and Christianity in Western Europe From the Fourteenth to the Seventeenth Centuries', in Derek Baker (ed.), *Sanctity and Secularity: The Church and the World* (Studies in Church History, 10, Oxford, 1973), pp. 132-3.

relations highlighted the dependent, but unequal, relationship between head and members and between different levels and ranks. It is therefore not surprising in this context that these notions were emphasised in the criteria by which parishioners were allocated a seat in church. Commissions frequently referred to the need to place parishioners so 'that the estates, degrees, conditions and callings . . . be consideratively respected'.¹⁰¹ Status was composed of a number of elements that could more easily be separated in description than they were in real life.¹⁰² These elements included wealth and contribution to the parish rates; the holding of parochial or secular office; reputation; age; length of residence; and gender. The following discussion will specifically analyse the criteria for the allocation of seats in parish churches as expressed by the central ecclesiastical authorities, commissions, vestries, churchwardens, and other parochial hierarchies.

Although the criteria by which the position of an individual in the church was decided were based upon considerations other than property, pews were primarily granted on the condition that the individual was a householder in the parish. Indeed, those responsible for allocating seats often measured a person's status upon the amount they paid towards the church rate, an amount that was in turn assessed according to the value of a person's property in the parish. Thus, at Whixley in 1608, the parishioners were to be placed according to their 'states or callinges, and as they doe beare and paie their severall laies'.¹⁰³ Likewise, a commission granted in Stockport (Cheshire) in 1631 agreed that the inhabitants of the parish should be placed 'according to their ranckes and degrees, and especially

¹⁰¹ F. G. Emmison, *Elizabethan Life: Morals and the Church Courts* (Essex, 1973), p. 131; John Craig, 'Reformation, Politics and Polemics in Sixteenth century East Anglian Market Towns' (Unpublished University of Cambridge Ph.D. Thesis, 1992), p. 25.

¹⁰² A. J. Fletcher, 'Honour, Reputation and Local Office-holding in Elizabethan and Stuart England', in A. Fletcher and J. Stevenson (eds), *Order and Disorder in Early Modern England* (Cambridge, 1985), p. 93. See also chapter 4 below.

¹⁰³ BI CP.H 427 1608: Whixley.

according to their abilities . . . and contribucions to the said Church'.¹⁰⁴ This practice was made explicit by a commission granted in 1637 to place the parishioners of Colne. The commissioners were granted 'power and liberty' to place the inhabitants according to their payment of 'leys', so that those paying 'greater layes' were to 'bee preferred before and placed or seated higher' than those who paid less.¹⁰⁵ Those who were unable or unwilling to pay ~~there~~^{their} contributions to the church rate often found themselves bereft of their seat in the church. At St. Chad, Shrewsbury (Shropshire) in 1637 a seat was forfeit to the churchwardens if parishioners failed to demonstrate 'abilitie or willingness' to pay.¹⁰⁶ The vestry meeting at Lambeth (Surrey) in 1617 agreed that the parishioners 'shall continewe in their seates accordinglie Provyded alwayes that such persons as are in arrerages and have not payde their voluntary Contribuc'on shall not continewe or hold those seates appoynted for them untill they have payde'.¹⁰⁷ In a similar fashion, the vestry at Sherborne ordered in 1603 that 'if any inhabitant depart out of the Towne and dwell elsewher[e] by the space of one whole yeare, and doe not pay all such rates and duties to the weakly relieff of the pore . . . as he paid at the tyme of his abode in the . . . Towne That then such person shall forfeitt and lose his seate forever'.¹⁰⁸ The payment of rates and other taxes was not only a measure of wealth, but also an index of membership of the local community, and therefore of the right to a claim to a seat in the parish church.

Sometimes, pews were assigned not only according to whether an individual paid rates, but also more explicitly according to the value of their property in the parish. A commission granted to the inhabitants of Weaverham in 1635, for

¹⁰⁴ CRO EDC.5 (1631), 5: Stockport.

¹⁰⁵ CRO EDC.5 (1637), 25: Colne.

¹⁰⁶ LRO B/C/5 1637: Shrewsbury, St. Chad.

¹⁰⁷ Charles Drew (ed.), 'Lambeth Churchwardens' Accounts 1504-1645 and Vestry Book 1610, Vol. 2' (*Surrey Record Society*, vol. 20, 1950), p. 251.

¹⁰⁸ DRO PE/SH VE/1.

example, allocated seats according to rank and degree, but also according to rates, rents and the value of property.¹⁰⁹ Similarly, when a list was written in 1690 containing the ‘names of the Inhabitants of Fenwick [Yorkshire, West Riding] that wants and desires [sic] to have seats’ in the church, the author of the list ‘sett downe there rents they pay by which you may better Judge of their quallatyes and Famylyes’.¹¹⁰ The relative social standing of an individual might also be based upon their wealth and occupation. Thus in 1634/5, the minister of Loughborough (Leicestershire) presented the churchwardens of the parish to the ecclesiastical hierarchy ‘for that they suffer the swineherd of the town and the baser sort of people, as Jailebirds and the like to sitt in the seats in the chancel’. The court ordered that the churchwardens only permit ‘persons of very good rancke and fashion to sit or stand in the seats in the chancel’.¹¹¹

Reputation was also a significant factor in deciding standing in the community and might even override considerations of wealth. In 1600, Arthur Lewis, a leading local gentleman of Farnham (Berkshire), found his seat in the local church pulled down by the churchwardens who called him a ‘drunken tosspot’ and accused him of selling his land in order to buy ale.¹¹² In Sutton (Cambridge), the ‘moral community’ was defined in terms of religious ideals of hierarchy and order, with moral offenders placed near the rear of the church. This echoed the practice in Calvin’s Geneva where an individual was only removed from their place in the congregation if they had been disgraced.¹¹³

¹⁰⁹ CRO EDC.5 (1665), 19: Weaverham.

¹¹⁰ BI FAC 1690/4: Campsall.

¹¹¹ Leicestershire Record Office 1 D41/13/57, f. 128. I would like to thank Professor Bernard Capp for this reference.

¹¹² Dillow, ‘Church-Seating Arrangements’, p. 100.

¹¹³ Chris Marsh, ‘Here I Sit: Parishioners and their Pews in the Deanery of Ely, 1560-1640’ (A paper given at the Reformation Studies Colloquium, Oxford, April 1998).

Those responsible for ordering the seats in church were often themselves granted privileged seats by virtue of the status of their office. At Prescott, in 1680, a seat adjoining the nave was described as the ‘churchwardens seate’.¹¹⁴ Likewise, a church meeting was summoned at Bowdon (Cheshire) in 1672 to raise funds for repairing the church and building seats for the churchwardens.¹¹⁵ Indeed, the only people that were assigned a particular pew at Ormskirk in 1677 were ‘publike officers’.¹¹⁶ In a draft seating plan of the women’s side of Cawston church, 1615-16, the wives of current officers were placed in the second seat, just behind the rector’s wife and the wives of three gentlemen.¹¹⁷ Such a position symbolically affirmed social position and local leadership.

Other local office holders were also granted special seats in the church. When James Laithwaite was constable of Ormskirk, he ‘sate in an . . . place belonging to that office’.¹¹⁸ The parish of St. Werburgh, Derby (Derbyshire) was so densely populated that the mayor of the town alone had a particular seat assigned to him in 1693.¹¹⁹ Similarly, when Congleton church was re-seated in 1611, the mayor was allocated a ‘place wherein no man had nor could claime any right’.¹²⁰ From at least 1618, a seat in St. Oswald’s, Chester was assigned to the mayor and aldermen, and there were ‘publique seates’ allocated to the mayor and aldermen at Holy Trinity, Chester in 1639.¹²¹ In town and cities, urban oligarchies and other civic leaders often had particular seats assigned to their office. A chapel belonging to the company and fraternity of Cappers in St. Michael’s, Coventry in 1626 also

¹¹⁴ CRO EDC.5 (1680), 3: Prescott.

¹¹⁵ CRO EDC.5 (1672), 11: Bowdon.

¹¹⁶ CRO EDC.5 (1677), 9: Ormskirk.

¹¹⁷ Susan Amussen, An Ordered Society: Gender and Class in Early Modern England (Oxford, 1988), p. 28.

¹¹⁸ CRO EDC.5 (1677), 9: Ormskirk.

¹¹⁹ LRO B/C/5 1693: Derby, St. Werburgh.

¹²⁰ CRO EDC.5 (1611), 13: Congleton.

¹²¹ CRO EDC.5 (1618), 4: Chester, St. Oswald; CRO EDC.5 (1630), 1: Chester, St. Oswald; CRO EDC.5 (1639), 20: Chester, Holy Trinity.

contained a seat reserved for the use of the mayor, aldermen and bailiffs.¹²² The mayor, aldermen, sheriff and 'chamberlanes' of Kingston-upon-Hull had seats allocated to them in Holy Trinity church in 1640, as did 'his majesties officers'.¹²³ Likewise, at Holy Trinity, Dorchester (Dorset) in 1617, a commission concerning the ordering of the seats in the church agreed that the 'cheife seate on the south side of the middle row of the . . . church shall be allotted to the Bailiffe and Recorder of the Borough of Dorchester'.¹²⁴

Seniority in age also carried certain weight. John Brookshawe of Stockport petitioned the Bishop of Chester for a place in the church in 1632. By reason of his 'deafnes', Brookshawe was allowed to sit in the uppermost pew in the church, but only in the absence of the pew's owner.¹²⁵ In a similar fashion, the vestry at Sherborne ordered in March 1630 that the churchwardens place 'the most auncient onlie of the Towne that want seates' in the main body of the church, and 'not to place boyes before auncient men'.¹²⁶ The concern that young people might take up the places of older parishioners was similarly expressed at Fy field (Essex) in 1583, when a complaint was filed that the 'yought of the parishe dothe take upp the stoales, where the parishioners shuld sit, and they lacke rome'.¹²⁷ Likewise, at Guilden Sutton (Cheshire) in 1639, the Bishop ordered that the inhabitants should be placed so that 'no servants be seated untill all householders and Masters of Families, and parents be placed each as he deserves'.¹²⁸ At Wrenbury (Cheshire), this particular issue was addressed by keeping the north alley of the church 'free' for the

¹²² LRO B/C/5 1626: Coventry, St. Michael.

¹²³ BI CP.H 2348 1640: Kingston upon Hull.

¹²⁴ DRO PE/DO (H.T.): CW1.

¹²⁵ CRO EDC.5 (1632), 66: Stockport.

¹²⁶ DRO PE/SH VE1, f.32.

¹²⁷ R. Dunning (ed.), W. Hale, *A Series of Precedents and Proceedings in Criminal Causes, 1475-1640* (Edinburgh, 1973), p. 177.

¹²⁸ CRO EDC.5 (1639), 21: Guilden Sutton.

servants and the children of any of the inhabitants.¹²⁹ In 1628, schoolboys who sat on timber boards used the ‘unseated and unflagged’ middle chancel of Rochdale chapel (Lancashire).¹³⁰ Similarly, ‘boyes or Yonge people’ used a bench in the chancel of Littleborough church (Lancashire), in 1629.¹³¹

It is clear from these examples that the ‘hierarchy of belonging’ in early modern communities was complex and involved several overlapping and intersecting hierarchies such as age, wealth and status. Another crucial factor that helped determine a person’s place in the church was their gender.¹³² The importance of gender relations, particularly between a husband and wife suggest that church seating needs to be understood within the broader context of ‘patriarchy’. Tensions had always existed between the circumscribed position of women that emphasised their subordinate, domestic role, and the practical realities of personality, changing economic circumstance and demographic fluctuation. Many historians have suggested that there were certain distinctive feminine spheres of socialisation, such as childbirth and churchings.¹³³ These were also in fact reflected in church seating plans and pew disputes. At Burnley (Lancashire) in 1605, a certain seat in the church was assigned to a parishioner unless ‘ytt weare att some Churching of anie neighbor’.¹³⁴ Likewise, a ‘voyd place’ in Aldford (Cheshire) was appropriated to no one except ‘persons to be Married and weomen to be purified’.¹³⁵ A churching pew

¹²⁹ CRO EDC.5 (1636), 21: Wrenbury.

¹³⁰ CRO EDC.5 (1628), 29: Rochdale.

¹³¹ CRO EDC.5 (1629), 7: Littleborough.

¹³² Quoting Keith Wrightson, ‘The Politics of the Parish in Early Modern England’, in Paul Griffiths, Adam Fox and Steve Hindle (eds), *The Experience of Authority in Early Modern England* (London 1996), p. 19.

¹³³ R. Houlbrooke, ‘Women’s Social Life and Common Action in England From the Fifteenth Century to The Eve of the Civil War’, *Continuity and Change*, 1:2 (1986), 171-189; D. Willen, ‘Women in the Public Sphere in Early Modern England: The Case of the Urban Working Poor’, *Sixteenth Century Journal*, 19 (1988), 559-75, and Bernard Capp, ‘Separate Domains? Women and Authority in Early Modern England’, in Griffiths, Fox and Hindle (eds), *The Experience of Authority*, pp. 117-145.

¹³⁴ CRO EDC.5 (1605), 22: Burnley.

¹³⁵ CRO EDC.5 (1627), 58: Aldford.

was specified in the churches of Edmonton in 1609, of Terling (Essex) in 1616, and of Middlewich (Cheshire) in 1634.¹³⁶ The position of the churching seat meant that a woman about to be churched and the midwife, for that moment at least, sat in one of the most prominent seats in the church. In Tarrant Crawford a seat for the midwife to sit during Christenings and churchings was placed at the head of the 'male' north aisle.¹³⁷ In like manner, a seat usually used by men at Kirk Ireton (Derbyshire) in 1629 was used during the 'churching or purification of women'.¹³⁸ The churching seat at Corfe Castle (Dorset) in the seventeenth century was the second seat from the front of the church.¹³⁹ The hierarchies of gender were, therefore, present in all aspects of church life from the liturgy, to its conduct books, and even to seating arrangements.¹⁴⁰

Indeed, the physical division of the sexes in church was a long established tradition, and had been practised in Christian churches since the third century.¹⁴¹ The making of special galleries for women and the seating of men at the eastern end of the nave and women behind were two possible ways of achieving segregation, as was the more common north-south division. In Stowlangtoft (Suffolk), the north-south divide between men and women was fairly straightforward, but in the seating plan for King's Cople (Hereford) in 1638, a row on the men's side was reserved for two women. As in Chesham, this undermining of the division was probably a

¹³⁶ LMA DL/C/339: Edmonton (Hertfordshire, 9 Sept. 1609; LMA DL/C/340: Terling (Essex), 20 April 1616; CRO EDC.5 (1634), 83: Middlewich.

¹³⁷ James Cross, 'Tarrant Crawford Churchwardens' Account Book, 1637', *SDNQ*, xvii (1921-3), p. 162.

¹³⁸ LRO B/C/5 1629: Kirk Ireton.

¹³⁹ DRO PE/COC CW1/1-2: Corfe Castle Churchwardens' Accounts 1633-1760.

¹⁴⁰ In the pre-Reformation church, the kissing of the Pax enforced separation of the sexes in order to prevent lascivious behaviour. John Bossy, 'The Mass as a Social Institution, 1200-1700', *Past and Present*, 100 (1983), pp. 55-6. The 1549 Prayer Book stipulated that 'so many as shall be partakers of the Holy Communion shall tarry still in the choir . . . the men on one side, the women on the other'.

¹⁴¹ Margaret Aston, 'Segregation in Church', in W.J. Sheils and Diana Wood (eds), *Women in the Church* (Studies in Church History 27, Oxford, 1990), 237-94; David Dymond, 'Sitting Apart in Church' in Carol Rawcliffe, Roger Virgoe and Richard Wilson (eds), *Counties and Communities: Essays on East Anglian History* (Norwich, 1996), p. 216.

reflection of the eminent status of the women involved.¹⁴² The motives for separation included the fear of physical defilement, in particular of the altar; the discouragement of amorous thoughts and assignations; and general notions about the relative status of men and women. Even in post-Reformation churches, concerns about secular influences on divine service dominated concerns about order. In 1614 officials of the archdeacon of Sudbury, having heard that the male and female parishioners were 'inconveniently and intermingedly placed contrary to all good order and decency as becometh the temple of god', wrote to the minister and churchwardens of the parish of Mendlesham (Suffolk) charging them to reorder the church appropriately.¹⁴³ Likewise, in 1639, the Bishop of Chester ordered the churchwardens, minister, aldermen and 'inhabitants' of Guilden Sutton to 'seate and place every Inhabitant according to his degree and Condicion' according to 'your discrecions . . . Provided alwayes that you place the Men altogether in the one syde of the Ally, and their wyves or Widdowes in the like Rancke on the other syde'.¹⁴⁴ Indeed, there is also evidence to suggest that within blocks of segregation, there could be further subdivision, distinguishing for instance on the basis of wealth, between married 'matrons', unmarried maids and widows. There was a 'custome' at Barthomley (Cheshire) in 1664 that 'young and unmarried people . . . doe usually give place to married women and doe sit below them'.¹⁴⁵ At Kingston upon Hull in 1664, the churchwardens placed married women in seats according to their ranks and qualities, and young women elsewhere in the church.¹⁴⁶ The separation of men from women, and of married women from maids, not only prevented the church

¹⁴² Dymond, 'Sitting Apart in Church', p. 211; HWRO F100/9: King's Cople (1638); Dillow, 'Church-Seating Arrangements', p. 133.

¹⁴³ Craig, 'Reformation, Politics and Polemics', pp. 24-5.

¹⁴⁴ CRO EDC.5 (1639), 21: Guilden Sutton.

¹⁴⁵ CRO EDC.5 (1664), 59: Barthomley.

¹⁴⁶ BI CP.H 2655 1664: Kingston upon Hull.

service from becoming a setting for courtship and gossip, but also reinforced the subordination of women to men, unmarried to married.¹⁴⁷

However, evidence from seating plans and other sources also suggests that gender divisions were actually breaking down in many churches. This in part echoes the dichotomy in the reformed church's view of marital harmony. Conduct books espoused the natural and divinely ordained pattern of the supreme authority of the husband whilst simultaneously encouraging mutuality in marriage. William Perkins described married couples as 'yokefellows', and this concept can be seen in church seating arrangements in which married couples sat together.¹⁴⁸ In Acton (Cheshire), seven seats were occupied by married couples in 1635.¹⁴⁹ Although the church at Folke was segregated according to gender in the seventeenth century, the three uppermost seats were assigned to two married couples.¹⁵⁰ Nick Alldridge's study of Chester parishes found that there was a tendency for newly married couples to sit together if they were unable to afford separate seats.¹⁵¹ There was a general seventeenth century increase in the number of faculties for family pews, a trend that was particularly marked after the Restoration.¹⁵² However, this gradual change was limited to married couples.

Those who allocated seats in the church also had to take into account the changes in the social status of women who became widowed or remarried within the parish. An 'ancient custome' of the parish of Fillongley (Warwickshire) in 1617 claimed that widows had the right to possess all the pews that had once belonged to

¹⁴⁷ Amussen, *An Ordered Society*, p. 143.

¹⁴⁸ Keith Wrightson, *English Society 1580-1680* (London, 1982), p. 91.

¹⁴⁹ Nigel Yates, *Buildings, Faith and Worship: The Liturgical Arrangement of Anglican Churches 1600-1900* (Oxford, 1991), p. 41.

¹⁵⁰ DRO PE/FOL RE1/1.

¹⁵¹ Nick Alldridge, 'Loyalty and Identity in Chester Parishes, 1540-1640', in S. J. Wright (ed.), *Parish, Church and People: Local Studies in Lay Religion* (London, 1988), p. 96.

¹⁵² Dillow, 'Church-Seating Arrangements', p. 136. See also LMA DL/C/344-5.

her husband whilst she remained a widow.¹⁵³ The vestry at Sherborne stipulated in 1630 that if any widower who still owned a seat for his wife were to remarry a woman with a seat, the churchwardens were to allocate which of the two seats his wife should sit in, and award the other for the 'best benefit' of the parish.¹⁵⁴ Examples like these underline the fragility of a woman's status and reputation when it was related to that of her husband's place in the social hierarchy.

The conventional rhetoric of allocation therefore referred to rank, degree, and order. As we have seen, however, these terms often had very fluid meanings in practice. A faculty granted to the parish of Earls Colne (Essex) in July 1617 reflects the complexities of placing parishioners in these circumstances. The Chancellor visited the parish to have a 'conference with the parties grieved' over a controversy that had arisen over the second and third seats from the pulpit. The churchwardens had moved 'certaine ansent women of good note' closer to the pulpit because they could not hear divine service in their former places. This decision compromised the position of the menfolk of the parish who had sat there for thirty years. To add insult to injury, the daughters of some of the parishioners had also recently been placed in some of the men's pews. Hierarchies of age, gender, and wealth, it seems, all had to be reconsidered. The faculty finally decreed that it was more 'decent for men to sit by themselves and women by themselves then to sit confusedly men and women together or both on one and the same syde of the church'. In addition, 'aged persons . . . thicke of hearinge and sight' were to be 'preferred' and 'placed neare the pulpit rather than younger persons who can well heare farther off'. Practical considerations could result in the elderly ending up closest to the pulpit, in sightline and earshot of the focal point of post-Reformation worship. However, in case the poor or the young

¹⁵³ LRO B/C/5 1617: Fillongley.

¹⁵⁴ DRO PE/SH VE1, f.32.

and unruly should forget their place, the chancellor also decreed that 'it is unfit for aged women and householders to be placed lower than maydes or young women that beare no charge about the mainteyninge of the church'.¹⁵⁵ Churchwardens and others who were responsible for the placing of parishioners in these complex and delicate situations had to act with discretion and finesse.

VI

The Church-Seating Plan: A 'Social Map' of Community?

Recent historiography has been dominated by the assumption that the church seating plan constituted a 'social map' of the local community, and that regardless of the system of allocation, pews functioned as status markers.¹⁵⁶ Susan Amussen suggested that 'the church mirrored the social structure of the community', whilst Jeremy Boulton argued that there were 'intimate links between social status, wealth and local officeholding . . . in the order of seating in the parish church'.¹⁵⁷ Only Boulton and Nick Alldridge have gone beyond such statements to demonstrate the significance of age, wealth, and residence and, in the case of the towns, civic freedom upon position in the church.¹⁵⁸ With the exception of Dillow, most existing studies of pew allocation have been drawn from too few cases to permit generalisation, and have been derived from restricted geographical areas. The following analysis will consider twenty seating plans found in secondary and manuscript sources, supplemented by seven discussed by historians.¹⁵⁹ These cover

¹⁵⁵ LMA DL/C/341: Earls Colne (Essex), July 1617.

¹⁵⁶ Underdown, *Revel, Riot and Rebellion*, pp. 29, 31-2.

¹⁵⁷ Amussen, *An Ordered Society*, pp. 141-2; Jeremy Boulton, *Neighbourhood and Society - A London Suburb in the Seventeenth Century* (Cambridge, 1987), p. 146.

¹⁵⁸ Boulton, *Neighbourhood and Society*, p. 146; Alldridge, 'Loyalty and Identity', *passim*.

¹⁵⁹ The manuscript sources are, HWRO F100/9; CRO DSS 3991: Plan of Lower Peover Church 1708 (1639); DRO PE/CAT: R/462 1/1: Cattstock 1630; DRO PE/COC CW1/1-2: Corfe Castle, seventeenth century; DRO PE/DO (H.T.) CW1: Dorchester, Holy Trinity, 1617-18; DRO PE/FOL

a wide geographical area and chronological period. This discussion fully acknowledges the ambiguities of the evidence. Pew plans are clearly problematic in that they provide only static representations of 'social relations in motion', status hierarchies that were frozen in a time of fluidity and change. Seating arrangements often survive as part of churchwardens' accounts, vestry minutes, or the archive of dispute, and thus are difficult to use in isolation as indicators of change over time. This is a point to which we will return later.¹⁶⁰ These 'social maps' are also found in a number of different forms. Some seating arrangements survive as lists.¹⁶¹ Others are literally maps of the church itself with the seats drawn in.¹⁶² The allocation of pews to specific individuals is further complicated by the irregular methods of listing the occupants. Some plans list seats by property, others by the name of the owner of the property, and others still by the name of every individual in each place in the pew. The seats on the pew plan of Holmfirth from 1635 were assigned to villages and townships, and each place in the pew allocated to particular tenements. Nevertheless, some seats in the church were granted to individuals.¹⁶³ This makes the reconstruction of the relative position of women, children and other non-householders, and the analysis of social status, more complex. There remains also

RE 1/1: Folke, seventeenth century; DRO PE/SH CW 4/3/1: Sherborne, 1704; BI FAC 1690/4: Wistow; BI REG 32. f. 94 Ar. 1635: Holmfirth; BI CP.H 3185 1675: Leeds, St. John; CRO EDC.5 (1692), 1: Coddington and CRO P264/4/1: Coddington, 1694. Those found in the secondary sources are, Drew, 'Lambeth Churchwardens' Accounts', pp. 195; J. Okill, 'Pew Holders in Childwall Church, 1609' Transactions of the Historical Society of Lancashire and Cheshire, 8 (1893), pp. 327-8; Cross, 'Tarrant Crawford Churchwardens' Account Book', 162-3; Mayo, 'Seats in Gillingham Church, 1615', *SDNQ*, xiv (1914-15), 158-62; 'St. Oswald's Church, 1575-1625. I. The Seating Arrangements', *The Cheshire Sheaf* (1902), pp. 75-6, and 78-9; 'Frodsham Church Role, 1495', *The Cheshire Sheaf* (1902), pp. 79-81. Those discussed by historians are, Alldridge, 'Loyalty and Identity'; Dillow, 'Church-Seating Arrangements'; Nesta Evans, 'A scheme for Re-Pewing the parish church of Chesham, Buckinghamshire, in 1606', *Local Historian*, 22 (1992), 203-7; Dymond, 'Sitting Apart in Church'; Judith Maltby, *Prayer Book and People in Elizabethan and Early Stuart England* (Cambridge, 1998), pp. 136-143, 196-210, 258-61; Susan Pittman, 'The Social Structure and Parish Community of St. Andrew's Church, Calstock, as Reconstituted from its Seating Plan, c.1587/8', *Southern History*, 20-21 (1998-99), 44-67; and Yates, *Buildings, Faith and Worship*, p. 41.

¹⁶⁰ See Chapters 3 and 4 below.

¹⁶¹ As in Lambeth, Childwall, St. Oswald's, Frodsham, Tarrant Crawford, Stowlangtoft, Gillingham and King's Caple.

¹⁶² Acton, 1635, and Lower Peover, 1639 and 1708.

¹⁶³ BI REG. 32 f94 Ar. 1635: Holmfirth.

the question of the diversity of shapes and sizes of early modern churches, many of which were built in the church-building campaigns of the late-Middle Ages. After all, pew lists and maps are only two-dimensional artefacts in which it is often difficult to appreciate the view of the focal point of worship from the seat itself. In the absence of local sources, our knowledge of the ritual use of space in church is also limited.

Bearing these limitations in mind, the following analysis attempts to establish the correlation between the church seating plans and the criteria by which the seats were allotted. It will argue that the seating plan of an individual parish or township shows something of the way in which the members of both the secular and spiritual hierarchies of that community, who controlled the allocation of seats, viewed the social order at a particular point in time. This discussion will therefore consider the placement of wealthy, rate-paying, and office-holding inhabitants relative to that of women, children, and the poor.

In many cases the correspondence between status and position in the church was explicit. The first two seats in the south aisle at Folke in the seventeenth century were allocated to William Fauntleroy esquire, and Mr. Hurd and his wife occupied the seat below them. The Hurds were to remain in possession of their seat until their deaths. After that time the pew was to remain to their tenement on the condition that the tenant was 'a man of £40 per Annum'. However, if the tenant was 'a man of meaner Ranke some other convenient place in the church' was to be assigned to him. That status was central to the criteria by which the churchwardens and minister of Folke allocated seats in the church is further emphasised by the fact that the first seat on the north side of the church was, amongst other things, set aside 'for the use of

any Stranger of Quality'.¹⁶⁴ At Gillingham, in 1615, the foremost seats in the church were allocated to an Esquire, a Doctor, four gentlemen, and two Mistresses.¹⁶⁵ At Tarrant Crawford, the two highest seats on both sides of the church were occupied by the gentlemen of the three leading estates in the parish in 1637, whilst at Stowlangtoft, the first seats were reserved for the Lord and Lady of the manor.¹⁶⁶ At Lower Peover in 1639, seats for gentlemen and gentlewomen were placed in the chancel, directly in front of the communion table and Sir Francis Leicester, baronet and patron of the chapel, sat in the uppermost seat in the nave.¹⁶⁷ The Coddington pew plans of 1692 and 1694 showed that two seats in the chancel belonged to John Leche and Roger Whitley esquires. John Massie esquire sat in the uppermost pew on the north side of the church adjoining his private chapel, and Mr. Caldecot Aldersley, a 'powerful' man in the parish, held the first two seats on the south side of the church next to the pulpit and reading desk. In the fourth seat from the chancel on the south side of the church, John Dod esquire and John Horton were assigned a seat. Dod only held between £10 and £15 of land in the parish, but he lived in a mansion house in the neighbouring parish of Broxton. Horton was allegedly worth £30 per annum. Robert Williamson had been a churchwarden with John Massie in 1683, and was described on his deposition of 1692 as a 'gent'. His pew was located behind John Massie's pew and directly opposite Dod and Horton's.¹⁶⁸ At Sherborne in 1704, the Countess of Bristol and Francis Seymour esquire held seats in the chancel. The 'sixteen' had seats in the centre of the church in earshot of the reading desk and in eyesight of the communion table. A number of the vestry, both past and

¹⁶⁴ DRO PE/FOL RE 1/1.

¹⁶⁵ Mayo, 'Seats in Gillingham Church', pp. 158-62.

¹⁶⁶ Cross, 'Tarrant Crawford Churchwardens' Account Book', pp. 162-3; Dymond, 'Sitting Apart in Church', p. 225.

¹⁶⁷ CRO DSS 3991: Plan of Lower Peover Church 1708 (1639).

¹⁶⁸ CRO EDC.5 (1692), 1: Coddington and P264/4/1.

present, sat near and around the reading desk and the communion table.¹⁶⁹ In Frodsham (Cheshire), Judith Maltby showed that the majority of parochial officers were assessed for 2*d* or more around the time of the Prayer Book petition, and that, on the whole, these men occupied the prestigious two ranks of pews in the centre, rather than the front, of the church.¹⁷⁰

At Puddletown (Dorset), in 1637, the seating commissioners ordered that the two chief lords of the parish, the Earl of Suffolk and Henry Hastings, should be placed in the foremost seats in the church. The seating plan shows that two leading yeomen sat in the seat behind them.¹⁷¹ Discrepancies however could and did exist. Three seats in the seating plan from Puddletown were occupied by people of higher status than those in the seats directly before them. This may in part be attributed to some of the factors we considered above, and is compounded by the lack of evidence in the plan itself concerning an individual's standing at the time the plan was drawn. The plan for North Nibley (Gloucestershire) is a list drawn up in 1629. Here gentlemen were placed near the chancel, whilst others of high rank sat near the pulpit, showing an interesting duality in the focus of post-Reformation worship between the altar and the Word. A rug maker, a carpenter and a labourer sat towards the back of the church. Between these positions, the presence of a clothier and a weaver alongside three yeomen raises the question of whether this was a reflection of equal status in this particular community or an indication that the system of hierarchy was breaking down in the face of local changes.¹⁷² At St. John's (Chester), it was the mayor who occupied the central pew in the front row while gentlemen were dotted around him in the central nave and especially in the north aisle,

¹⁶⁹ DRO PE/SH CW 4/3/1; DRO PE/SH VE 1/1.

¹⁷⁰ Maltby, *Prayer Book and People*, p. 196.

¹⁷¹ Dillow, 'Church-Seating Arrangements', p. 156, 158.

¹⁷² Dillow, 'Church-Seating Arrangements', p. 161.

reflecting the complexity of hierarchy in urban parishes, and the importance of civic office-holding.¹⁷³ In St. Michael's (Chester), the rate-paying gradient was often worked out by topography which broadly corresponded to social distinctions. In 1578, the inhabitants of Bridge Street were, on the whole, favoured over those from Pepper Lane. Only two of the fourteen cellar-dwellers could afford pew rents, and probably occupied the 'common seats' at the back of the church.¹⁷⁴

Nesta Evans' study of the re-pewing scheme for the parish church of Chesham (Buckinghamshire) in 1606 revealed that church seating plans provide an unusual source for discovering the incidence of poverty in a parish. This was particularly so at Chesham where seats were allocated according to the church rate, and the poor were seated towards the rear of the church.¹⁷⁵ The poor were categorised in the Elizabethan Poor Laws as 'deserving' or 'undeserving', a notion that was qualified by age and residence within a community. In 1608 the churchwardens of Bawdeswell (Somerset) tried to move Margaret Skener into new seats where 'the poor and such as took alms did sit'. Although she contested this on the basis that her husband contributed to the maintenance of the poor, she was denied in view of her position as an 'inmate' in another's house. The hierarchy of rank was overlaid by the hierarchy of belonging. The 'deserving' poor thus had a place within the structure of the church seating plan, but it was one that reminded them of their subordinate position. At Sherston Magna in 1614, the churchwardens complained of a 'row of seats or boards unseemly set up, wherein the meanest of the parish have for some time sat, and divers more substantial men . . . do want seats'. They were instructed to seat the poor elsewhere and build a 'comely' row of seats

¹⁷³ Alldridge, 'Loyalty and Identity', p. 95.

¹⁷⁴ Alldridge, 'Loyalty and Identity', pp. 95-6.

¹⁷⁵ Evans, 'A Scheme for Re-pewing', p. 206-7. See also, Dillow, 'Church-Seating Arrangements', pp. 162-165 on North Nibley, 1629.

for their betters.¹⁷⁶ At St. Edmund's, Salisbury (Wiltshire), the poor were seated on forms that had 'FOR THE POOR' written on them in large, red letters.¹⁷⁷ It was a position that served as a reminder of the marginality of the poor to *all* parishioners, a stigmatism that echoed the badging of the poor in some communities prior to the statute of 1697.¹⁷⁸

As we have seen, the separation of the sexes was practiced in a number of churches for a variety of reasons, and was actually breaking down with regard to married couples over our period. However, we have not yet considered the position of a woman in relation to her husband or to other women. Despite evidential problems, the analysis and quantification of the seating plans of a number of parishes by Kevin Dillow has revealed that only a minority of husbands and wives had parity of place position in church, with wives usually sitting between one and six places *higher* than their husbands.¹⁷⁹ The plan for King's Caple in 1638 suggests that, on the whole, husbands and wives had parity of place. Of the three wives that sat one place above their husbands, this can be explained by the irregular placing of two prominent women in the second pew on the 'male' south side of the church that disrupted the correspondence between the places. Two women sat below their husbands and one, whose husband sat in the Lady Chapel, sat two seats below her husband. These examples suggest the difficulties in deciding placement in both urban and rural areas, and the problems that might arise when widows retained their seats, or when daughters of more prominent members of the parish were granted special seats. In King's Caple, in 1638, the seats on the north side from the sixth row

¹⁷⁶ Underdown, *Revel, Riot and Rebellion*, p. 31.

¹⁷⁷ J. C. Cox (ed.), *Churchwardens' Accounts From the Fourteenth Century to the Close of the Seventeenth Century* (London, 1913), pp. 69, 192.

¹⁷⁸ For example, Frampton (Lincolnshire) in the 1630s. See Steve Hindle, 'Power, Poor Relief and Social Relations in Holland Fen, c.1600-1800', *Historical Journal*, 41 (1998), 67-96.

¹⁷⁹ Dillow, 'Church-Seating Arrangements', pp. 139-141.

down were reserved for the daughters of the 'better Ranks that are unmarried'.¹⁸⁰

More pertinently, they suggest that a woman's place may have been decided on other factors than merely her husband's status.¹⁸¹ Perhaps a woman's role in feminine spheres of interest such as midwifery or serving as an honest matron on a jury played a part in her placement. The position of the midwife's seat may be suggestive of a broader pattern.

It is also possible to glean some evidence of an irregular age gradient in some of the plans. At St. Michael (Chester), Alldridge found that freemen occupying the third row of seats in the church had an average age of 49, while those below them were progressively younger.¹⁸² A similar pattern was found in North Nibley. The evidence at present is however both patchy and impressionistic.¹⁸³

Children and young people were often symbolically represented in church as a marginal, unruly group. Usually seated towards the back of the church, unless as servants of more prestigious households, the passions and rebellions of youth were subject to supervision and control. The sidesmen of St. Mary's (Chester) were stationed at strategic points among the congregation to keep an eye on boys and girls who misbehaved during the sermon.¹⁸⁴ Indeed, at Coddington in 1694 and at Lower Peover in 1639, the churchwardens' seat was located at the rear of the church, where it was possible to view the conduct of *all* the parishioners.¹⁸⁵ In King's Caple, the 'Northermost seats' in the church were 'left for younger people and servants'.¹⁸⁶ The memoranda in the churchwardens' account books for the parish of Folke in the

¹⁸⁰ HWRO F100/9.

¹⁸¹ Some women explicitly claimed seats in the right of others that were not their spouses. Anne Cripps of Blackthorne (Oxfordshire) claimed a seat in 1584 in the right of her father-in-law. Dillow, 'Church-Seating Arrangements', p. 142.

¹⁸² Alldridge, 'Loyalty and Identity', pp. 96-7.

¹⁸³ Dillow, 'Church-Seating Arrangements', p. 166-7.

¹⁸⁴ Alldridge, 'Loyalty and Identity', p. 94.

¹⁸⁵ CRO P264/4/1: Coddington, 1694; CRO DSS 3991: Plan of Lower Peover Church 1708 (1639).

¹⁸⁶ HWRO F100/9.

seventeenth century stated that 'all the Youth of the Parish' were 'to be placed in the lower part of the . . . South Ile, beeing seated round at the generall charge of all ye Parishoners'.¹⁸⁷ At Tarrant Crawford, the fifth seat on the south side of the church reserved for men and a pew amongst the women's seats on the south side was granted to the children of men who, for the most part, occupied some of the most prominent pews in the church.¹⁸⁸ In Puddletown in 1637, the 'settle without the frame of the communion place' was allotted to the sons of the 'best rank and estate', serving men that 'attend to their masters', and the parson's and vicar's men. Their female counterparts were placed behind their mothers and mistresses. All the other girls were placed alongside the seats of their mothers, mistresses or Dames, or in the gallery. Schoolboys and other young children were placed in the fore-alley before the minister's pew and in the broad alley between the men's seats.¹⁸⁹ Within their place in the hierarchy of the church and the local community, the hierarchy of children in this church was based upon that of their elders and closely paralleled it. These varied positions suggest the variety of interpretations of the ideals of patriarchal and affective relationships between children and parents, servants and masters, and the ways in which these were evolving.¹⁹⁰

VII

Conclusion

Kevin Dillow described the seating plan of the parish as 'a good but imperfect reflection of society itself'.¹⁹¹ However, the evidence presented here suggests that the very stasis of seating plans embodies the ambiguities of this

¹⁸⁷ DRO PE/FOL: RE 1/1.

¹⁸⁸ Cross, 'Tarrant Crawford Churchwardens' Account Book', pp. 162-3.

¹⁸⁹ Dillow, 'Church-Seating Arrangements', pp. 145-6.

¹⁹⁰ For further discussion on this issue see, Tamara K. Hareven, 'The History of the Family and the Complexity of Social Change', *American Historical Review*, 96 (1991), 95-124.

¹⁹¹ Dillow, 'Church-Seating Arrangements', p. 168.

problematic field of inquiry. Because contemporary ideals of social stability ran up against the realities of social change, and the complexities of social stratification, it was almost inevitable that pew plans would be called into question.¹⁹² In 1692, fifty-four years after the seating plan at King's Caple was written down, the churchwardens of the parish re-wrote the list in order to avoid any controversies. They claimed that 'the persons to whom they [the seats] were assigned' were 'almost dead and many of their estates being inhabited by persons of other names'.¹⁹³ The church-seating plan was, therefore, an attempt to fix, to rearticulate, and perhaps even to reconstruct the social order. When individuals sat on a seat in the public context of the church, they temporarily fixed their relationships to one another. To freeze the status of individuals and their entitlement to a seat was to determine it not simply for a generation, but also for posterity. Indeed, parishioners might refer back to plans drawn up generations before when claiming the right to a seat.

Furthermore, seating plans were relatively common precisely because visions of the social order were *not* consensual. The realities of social change, and in particular social mobility and social differentiation, meant that status was inevitably contested. This not only explains the number of pew disputes considered in the chapter that follows, but also the considerable number of plans which were drawn up in an attempt to settle these often divisive conflicts. The significance of the seating plans we have considered here can be more clearly perceived through a consideration of the impact of religious and social change in the local community and the conflicts in which it resulted.

¹⁹² See chapters 5 and 7 below.

¹⁹³ HWRO F100/9.

Chapter 3

Pews and Social Conflict

Speaking of his experiences as Bishop of Winchester, Archbishop Neile observed in 1633 that ‘noe causes . . . were more frequent than broyles about seates [in church]’.¹ Although there is no substantive evidence that pew disputes actually did dominate the activity of the courts in the diocese of Winchester during Neile’s episcopate, it is nonetheless clear that both the nature and the number of disputes disturbed contemporaries.

I

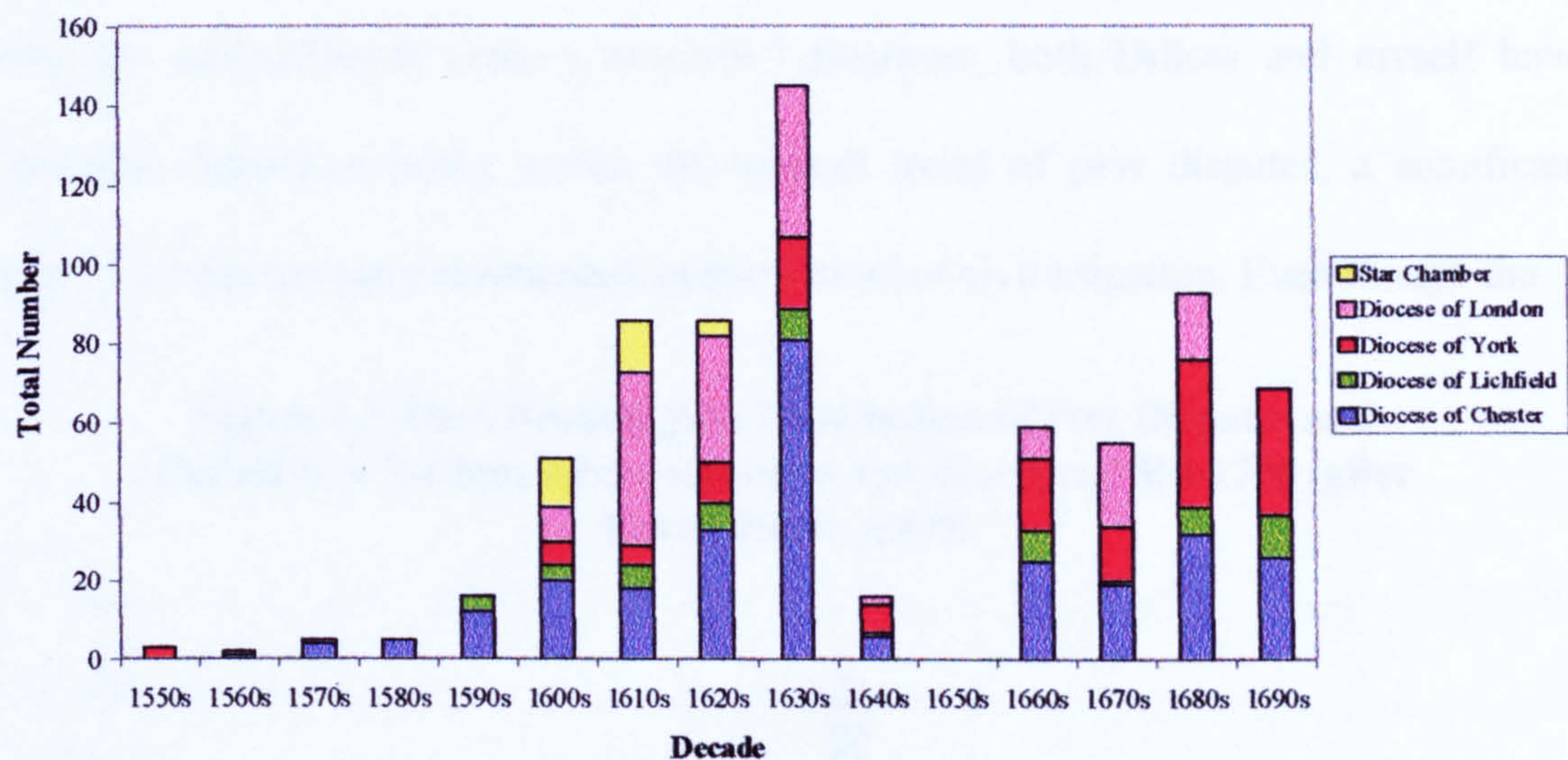
The Chronology of Dispute

As Figure 3.1 shows, the evidence of pew litigation and faculties analysed here, 691 cases from the dioceses of Chester, York, Coventry and Lichfield, London and from the court of Star Chamber, reveals an increase in the number of disputes from the 1590s onward. The prominence of this initial rise is in part due to the pattern of archival survival since the evidence from Star Chamber falls between 1603 and 1625, and the faculties from the diocese of London begin c.1601. However, the prominence of the 1630s in the chronological profile is clearly not due to these factors alone. Indeed, the records of the consistory courts of the diocese of Chester show that during the ‘peak’ period of the 1630s, pew disputes accounted for almost a tenth of all court business.²

¹ Paul Hair (ed.), *Before the Bawdy Court* (London, 1972), p. 249.

² Catherine Wright, ‘Order, Conflict and Revenue: Church Seating Arrangements and the English Parish, c.1550-1700’ (Unpublished University of Warwick MA Dissertation, 1998), p. 26.

Figure 3.1 The Chronological Distribution of Pew Disputes and Faculties in Five Jurisdictions, c.1550-1699



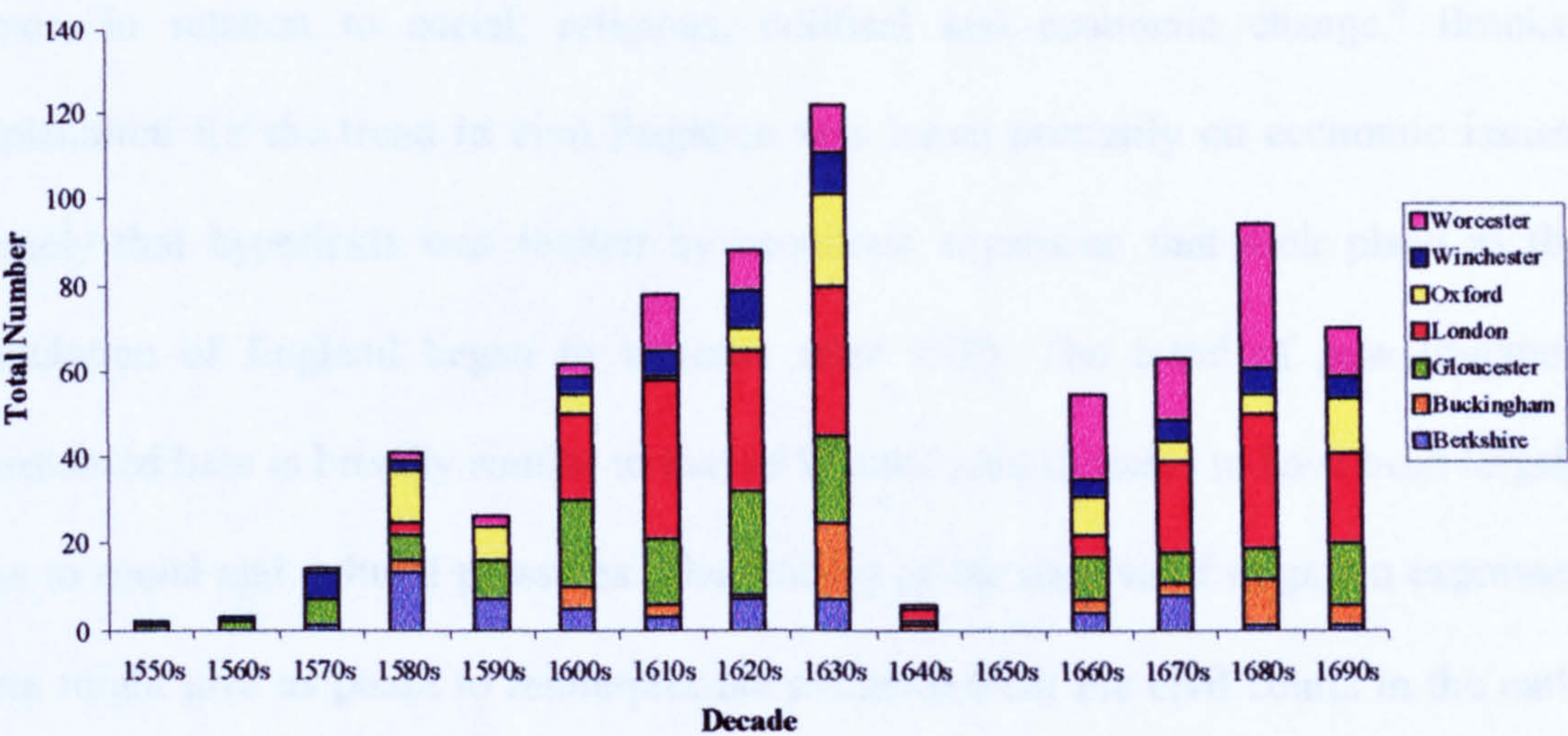
Source: CRO EDC.5; LRO B/C/5; BI Various; PRO STAC 8; LMA DL/C/338-345.

Likewise, Kevin Dillow’s quantification of the incidence of office and visitation cases, instance disputes and faculties relating to pews in the consistory courts of a number of dioceses and archdeaconries between 1550 and 1699 revealed that there was a significant rise in the number of pew cases in the early seventeenth century. Figure 3.2 shows that of the 724 cases Dillow found in the seven ecclesiastical jurisdictions of Berkshire, Buckinghamshire, Gloucester, London, Oxford, Winchester, and Worcester, the most significant rise occurs between the 1580s and 1640s, reaching a peak just prior to the Civil Wars.³ Indeed, although the sample used by Dillow is slightly larger than the one analysed here, the chronological pattern of litigation is remarkably similar. This coincidence is even more striking given the lack of overlap in the jurisdictions studied.

Significantly, the chronological distribution of ecclesiastical court cases involving church seating broadly follows the now familiar pattern of increasing civil

litigation between 1560 and 1640 identified by historians such as C. W. Brooks and Craig Muldrew.⁴ It also reflects the general increase in litigation in the church courts from the mid-sixteenth century onwards.⁵ However, both Dillow and myself have identified distinctive peaks within this overall trend of pew disputes, a significant departure from the early seventeenth century trend of civil litigation. Even though the

Figure 3.2 The Chronological Distribution of Pew Disputes and Faculties in Various Archdeaconries and Dioceses, 1550-1700 (after Kevin Dillow, 1990)



Source: Adapted from the tables in Kevin Dillow, ‘Church-Seating Arrangements and Pew Disputes’, pp. 193-5.

volume of litigation in King’s Bench and Common Pleas continued to grow in the seventeenth century, Brooks argues that its pace was ‘a good deal less spectacular’ after

³ Dillow, ‘Church-Seating Arrangements’, pp. 193-4.
⁴ C. W. Brooks, *Pettyfoggers and Vipers of the Commonwealth: The ‘Lower Branch’ of the Legal Profession in Early Modern England* (Cambridge, 1986); Craig Muldrew, ‘Credit and the Courts: debt litigation in a seventeenth-century urban community’, *Economic History Review*, XLVI, 1 (1993), pp. 23-38.
⁵ R. Houlbrooke, *Church Courts and the People During the English Reformation, 1520-1570* (Oxford, 1979), pp. 273-4; R. A. Marchant, *The Church Under the Law: Justice, Administration and Discipline in the Diocese of York, 1560-1640* (Cambridge, 1969), p. 62.

1600 than it had been before that date.⁶ Indeed, Brooks argues that it was the reign of Elizabeth that was the ‘most notable for the remarkable increase in the number of lawsuits’.⁷ By contrast, few litigation increased most significantly in the period *after* 1600 (Figures 3.1 and 3.2). In a comparable manner to Dillow’s analysis, Figure 3.1 also shows a rise in the 1660s and particularly during the 1680s, periods of further social and political upheaval following the Civil Wars and prior to the ‘Glorious Revolution’ of 1689-90. The significance of these decades will be discussed later in the thesis, in relation to social, religious, political and economic change.⁸ Brooks’ explanation for the trend in civil litigation was based primarily on economic issues, namely that hyperlexis was fuelled by economic expansion that took place as the population of England began to increase after 1520. The trend of few litigation considered here is broadly similar to that of Brooks’, but it seems to have been largely due to social and cultural pressures. The reading of the archive of litigation expressed here might give us pause to reinterpret the evidence from the civil courts in the early modern period. Indeed, social and cultural tensions might also have been at work in the negotiation of credit relations.

The chronology of disciplinary presentments arising from seating disputes in Essex between 1580 and 1640 is also similar to those found in the analysis here and in Dillow’s sample. Amanda Flather found that significantly more disciplinary actions occurred at the turn of the seventeenth century, suggesting that during the ‘crisis years from 1590-1610 competition for symbols of status was . . . intense’. The chronology of

⁶ Brooks, *Pettyfoggers and Vipers of the Commonwealth*, p. 53.

⁷ Brooks, *Pettyfoggers and Vipers of the Commonwealth*, p. 57.

⁸ See Chapters 4, 5 and 7 below.

presentments for Essex also showed a second peak of prosecutions during the 1630s.⁹ Susan Amussen, on the other hand, found a peak of presentments during the second decade of the seventeenth century in Norfolk and Suffolk, which she argues was due to a less active land market and the stability of the social hierarchy.¹⁰

As chapter one has shown, most discussions of social change suggest that the period between 1580 and 1640 was one of intense social and economic transformation. It is no coincidence, therefore, that pew disputes should have been concentrated during this period, especially since pews were such a potent marker of social status. The nature of social change in this period therefore had important implications for how pews themselves were disputed, and for who the protagonists were likely to be. It would of course be easy on the basis of the evidence presented here to convey the impression that parishes throughout the land were ridden with endemic petty conflict. However, it must be borne in mind that this is an archive of complaint and prosecution, and that it is largely silent on conformity, co-operation and consensus.¹¹ The disputes discussed here are nonetheless highly revealing of the nature and significance of the social conflict that did arise over church seating arrangements.

II

How Pews Were Disputed

(a) The Ecclesiastical Courts

⁹ Amanda Flather, *The Politics of Place: a Study of Church Seating in Essex, c. 1580-1640* (Friends of the Department of English Local History, Friends Papers No. 3, Leicester 1999), pp. 26-7.

¹⁰ Susan Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford, 1988), pp. 235-278.

¹¹ Cf. J. A. Sharpe, 'Debate The History of Violence in England: Some Observations', *Past and Present*, 108 (1985), 206-215; Lawrence Stone, 'A Rejoinder', *Past and Present*, 108 (1985), 216-224,

The vast majority of the cases in this study are drawn from the ecclesiastical jurisdictions discussed in the introduction, whether as office or instances causes, or as faculties. All of these courts were highly dependent on churchwardens and other non-professional local officeholders who were expected to represent the communities that elected or appointed them, and to detect and prosecute offenders from within those communities.¹² Disciplinary activity in the courts was reliant on how far these individuals were prepared to actively assist the court, which in turn rested on more general attitudes to law-breaking and other forms of deviance and neighbourhood relations at the local level. The following discussion draws on three types of evidence: office causes, instances causes and faculty litigation, each of which presents its own opportunities and problems.

In office or correction causes, court officers, parish ministers, churchwardens and sidesmen notified the judge of the court of an incident. Presentment bills were then made before special, and predominantly peripatetic, courts during visitations made by or on behalf of Bishops, Archdeacons and others who exercised ecclesiastical jurisdiction. These presentments formed the basis of office prosecutions, which were either dealt with immediately at the visitation courts or held over to be heard subsequently.¹³

Instance causes were suits initiated 'at the instance' of individuals who felt they had been wronged in some way by another party. The pressures caused by the general

¹² J. S. Craig, 'Co-operation and Initiatives: Elizabethan Churchwardens and the Parish Accounts of Mildenhall', *Social History* 18:3 (October, 1993), 357-80; Eric Carlson, 'The Origin, Function, and Status of the Office of Churchwarden, With Particular Reference to the Diocese of Ely', in Margaret Spufford (ed.), *The World of Rural Dissenters 1520-1725* (Cambridge, 1995), pp. 164-207.

growth in the business undertaken by the church courts in the sixteenth century meant that instance causes were largely handled in separate sessions to disciplinary causes. These courts were predominantly static and held within cathedral precincts. If the distances involved meant that witnesses or other parties involved in the suit were unable to attend, commissions were appointed by the court to examine them, and sometimes to view the church.

Faculties establishing a title on the basis of a licence to build or appropriate a seat, or petitioning to have a title confirmed if it had been challenged, were another, shorter, and more cost-effective means of pursuing a case. Although faculties could be an uncertain means of confirming one's rights, as they could be withdrawn, altered or challenged if the information under which they were issued was proved incorrect, they were generally upheld in practice, as the courts were loath to overturn their own decisions. Faculty litigation for the confirmation of pews was increasingly pursued during our period, particularly from the 1660s onwards. The Lichfield sample used here includes papers relating to causes heard in the Bishop's consistory court in the diocese of Coventry and Lichfield that were specifically associated with faculty cases between 1595 and 1700, excluding peculiar jurisdictions.¹⁴ The London sample includes faculties issued by the Vicar-General between 1601 and 1685 in response to petitions concerning church seating.¹⁵ A small sample from the jurisdiction of the Archbishop of York has also been included to complement the samples from Lichfield and London.¹⁶

¹³ Martin Ingram, *Church Courts, Sex and Marriage in England, 1570-1640* (Cambridge, 1987), pp. 43-5.

¹⁴ LRO B/C/5: 1595-1700.

¹⁵ LMA Vicar-General's Books 1601-1685 DL/C/338-345.

¹⁶ BI FAC: 1613-1700.

Both office and instance causes, like faculty litigation, relied on a balance between the demands of the ecclesiastical authorities, both central and local, and the concerns of local communities.¹⁷ Neighbours wanted to live quietly with one another, and the local and central ecclesiastical authorities sought to encourage them to do so, particularly with regard to pew disputes.¹⁸ This was because pew disputes not only disturbed the peace of the community, but also disturbed order in the church, particularly during divine service. When the seats in the church of Wistow (Yorkshire, West Riding) were altered in 1640, for instance, the ordinary empowered a commission to appoint seats to every parishioner according to its discretion in order to secure 'the good peace of the . . . church and for establishinge of good order and amitye'.¹⁹ Contemporary sensitivity to pew conflict is evident in a number of agreements and precautionary measures specifically designed and intended to prevent pew disputes. At Little Budworth (Cheshire) in 1603, it was alleged that there had been 'an agreemente . . . that everie man shall be placed in his forme,' and that it would remain assigned to his house in order to 'avoyd all controversies and suites'.²⁰ When the seats in the parish church of Marbury (Cheshire) had been made uniform at the order of the Bishop, the decisions made by a commission concerning the placement of parishioners were to remain in place 'for avoiding and preventing of future differences'.²¹ Pew lists were drawn up (or at least written down), and plans recorded in parish registers,

¹⁷ Keith Wrightson, 'Two Concepts of Order: Justices, Constables and Jurymen in Seventeenth-Century England', in John Brewer & John Styles (eds), *An Ungovernable People: The English and Their Law in the Seventeenth and Eighteenth Centuries* (London, 1980), pp. 21-46.

¹⁸ See Keith Wrightson, 'The Politics of the Parish in Early Modern England', in Paul Griffiths, Adam Fox and Steve Hindle (eds), *The Experience of Authority in Early Modern England* (London, 1996), pp. 18-22.

¹⁹ BI D/C C.P. 1640/2: Wistow.

²⁰ CRO EDC.5 (1603), 45: Little Budworth.

churchwardens' accounts and Bishops registers in the hope that a permanent record would prevent further recrimination. In this way, and 'for ye prevention of mistakes and differences amongst the parishioners concerning their right to seates in Frodsham Church there was and is an ancient Booke yt comprised al ye seates in ye said church and their owners'.²² Similarly a 'scheme or modell' of the reordering of Coddington church (Cheshire) was drawn up in 1688 in the hope that it would be used for 'the preserving of the said seates and the pulpit in Uniformity and Decency, And avoiding future Quarrells about seates among the parishioners'.²³ A petition presented to the Vicar-General of the diocese of London for a confirmation of an existing right to a pew in South Mimms (Middlesex) in 1617 was couched in a similar language of 'prevention', and specifically to avoid 'inconvenience and disturbance in the church'.²⁴

On a number of occasions, however, the desire for communal harmony at the local level conflicted with more general concerns for the orderly administration of divine service expressed by the ecclesiastical hierarchy. Most of these circumstances recorded in ecclesiastical records simply reflect the ignorance of the central authorities of the peculiarities, customs and practices and relationships within certain parishes, and the vulnerability of higher courts to the machinations of individuals who sought to prey on this absence of local information. Thus when the Archbishop of York issued a faculty in 1690 for the minister and churchwardens of Campsall (Yorkshire, West Riding) to build seats for some of the inhabitants of Fenwick, the minister and

²¹ CRO EDC.5 (1671), 23: Marbury.

²² CRO EDC.5 (1683), 1: Frodsham.

²³ CRO EDC.5 (1692), 1: Coddington.

²⁴ LMA DL/C/341: South Mimms (Middlesex), 1617.

churchwardens refused to comply with the response that the complainants must be prepared to sit where they could find room. If not, they insisted, they would struggle to

find any Room in the church, such as we think they will be pleased with . . . without disturbing others, or dispossessing them of such seats, as they pretend an antient Right to which we think we ought not to do. So that we can not perform this order, without bringing upon our selves, the Odium and Clamour of the rest of the Parish, and exposing our selves to vexations and complaints and trouble.²⁵

Here, the parish officers evidently valued local quiet above compliance with ecclesiastical policy even if it meant failing to allocate pews altogether. Similarly, in a case from Liverpool (Lancashire) between 1692 and 1693, an alderman of the city, Robert Seacom, was incensed that the court had even considered a claim to a specific seat by a parishioner. He alleged that if seats in the church were only assigned to particular inhabitants rather than generally and according to certain social groups it would 'occasion great confusion and Animosities...the decency and order of sitting would bee broken and the seates so distinguished by particular claimes would not accommodate near so many persons, as they now doe when by a quiet and peacable Community of ye said seates the Inhabitants use them without oposicion, and ye Congregacion thereby becomes more full intire and all Quarrells concerning right to seates obviated and prevented'.²⁶

As we have seen, a principal concern of the church courts in pew disputes was the prevention of disruption during services. To this end, ecclesiastical officers often

²⁵ BI FAC 1690/4: Campsall

sent out citations to the defendant and issued injunctions inhibiting them from sitting in the disputed seat for the duration of the litigation. Fear of disturbance and disorder, particularly whilst a case was being determined, was evident in the lengths to which ecclesiastical elites went to preserve 'quiet'. When a dispute arose between Bartholomew Hesketh and the inhabitants of Aughton (Lancashire) in 1590, the Bishop sequestered the chapel and its seats until their respective interests were tried at law.²⁷ The Bishop also sequestered the seats in controversy at St. Oswald, Chester (Cheshire) in 1626 for the 'preventinge of further misdemeanors therein'.²⁸ Likewise, whilst a long-standing dispute between Thomas Emery and Richard Badowe of Baddow (Essex) was being decided in 1609, the chancellor decreed that the churchwardens should 'will and requier Mr Bristowe to suffer . . . Mr. Emery quietly to sitt and have place with him'.²⁹

Once a case had been initiated, the next stage of the process of ecclesiastical justice involved the proctors for either side devising libels and allegations that they attempted to prove by the examination of witnesses.³⁰ These allegations, libels and depositions tell us much about popular perceptions of the law concerning pews in this period, and about the nature of the conflicts themselves. Depositions in particular, as extended narratives, are a unique source for social information and can be analysed to reconstruct popular mentalities. However, as written artefacts of a specific culture, depositions must be considered within the circumstances of their production. A

²⁶ CRO EDC.5 (1692), 13: Liverpool; CRO EDC.5 (1693), 12: Liverpool.

²⁷ CRO EDC.5 (1590), 12: Aughton.

²⁸ CRO EDC.5 (1626), 4: Chester, St. Oswald.

²⁹ LMA DL/C/339: Badowe (Essex), 28 Oct. 1609.

³⁰ Ingram, *Church Courts, Sex and Marriage*, pp. 48-50.

deposition was, after all, a series of re-workings through which a witness saw the dispute, committed it to memory, informed others, and then reported it to the court. Depositions were therefore composite products of 'personal concerns, familiar story models, conventional, and moral judgements.'³¹ They were also the expression of the aims of the litigants whose questions structured the answers of the witnesses, and the story of the narrator's participation in the dispute. These stories were furthermore refracted through the legal lens of the Proctor who determined the shape of the narrative according to legal protocol. These were once again mediated by registrars who transcribed the words spoken by proctors, mixing the everyday speech of the litigants and deponents with the legal court languages of English and Latin.

In this context, the significance of legal narratives, and in particular their plots, conventions and 'fictional' or rather 'feigned elements', should not be underestimated. Witnesses were not necessarily expected to recall the exact account of what had happened so much as whose interpretation of the events deserved to be accepted. As such, libels and depositions can tell us much concerning the meaning of conflict generally, but also specifically of community convictions concerning who 'had the right' to a particular seat or space in church. Most of all, they are highly revealing of the cultural conventions concerning the way in which these 'stories' should be told. The descriptions of physical and verbal violence that arose as a consequence of pew disputes conformed to a number of recoverable cultural contexts that drew upon a

³¹ Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford, 1996), p. 42.

common stock of phrases, images and motifs that chimed with shared understandings, attitudes and values.³²

Likewise, although faculties themselves often rehearse the claims made in the petitions which originally provoked them, and tend by definition to be weighted towards the victorious party, the outcome of these disputes is less interesting than the idiom in which they describe local social and political relationships. Our concern should be to reconstruct the rhetoric of the petitions as they are revealed in the faculties. It should therefore be recognised that, treated as a source in their own right, faculties can also be a source of social information, and can tell us much concerning the nature and context of pew disputes and social conflict.

The following discussion will consider the social status of the protagonists in pew disputes. Before doing so, however, it is crucial to understand the nature of these conflicts, which can best be understood in terms of their *physical*, *symbolic* and *verbal* manifestations.³³ A considerable number of pew disputes included references to physical and verbal violence inflicted upon an individual in church, and carry an accusation of ‘chiding’ and ‘brawling.’ The 1552 ‘act against quarrelling and fighting in the churchyard’ meant that a person found quarrelling could be suspended from entering the church at the discretion of the Bishop, whilst those found fighting in church could be excommunicated.³⁴ This act was backed up by a number of Royal

³² Gowing, *Domestic Dangers*, pp. 41-8; Malcom Gaskill, ‘Reporting murder: fiction in the archives in early modern England’, *Social History*, 23:1 (January, 1998), pp. 12-3.

³³ See below.

³⁴ 5 & 6 Edward VI (1552), c.4.

Proclamations between 1552 and 1561.³⁵ The testimonies of deponents, plaintiffs and defendants alike were therefore framed in the context of this language of official complaint. In a pew dispute at Bainton (Yorkshire, East Riding) in 1610, it was alleged that one William Aslaby had, in a 'very angry and chidinge manner', told Robert Constable that he was not of 'anie credyte,' and called him an 'unseemely parte of a gentleman' [? a prick].³⁶ Likewise, Gilbert Watson of Kirby in Cleveland (Yorkshire, West Riding) alleged that on Palm Sunday in 1670 Ralph Spooner did 'by wordes Quarell, chide or brawle' with him.³⁷

In cases where *physical* violence was involved, witnesses were at pains to emphasise the violent intent of the other party in either initiating conflict or responding to it. Cecilia and Margaret Bostock of Middlewich (Cheshire) were accused of pulling Anne Edwards from her seat by the heel 'in most develisht wise manner' during divine service.³⁸ In 1693 at Shenstone (Staffordshire), William Riding allegedly 'pluckt the Wainscot' off Dorothy Smith's pew 'with such violence that made such a crash most of the congregacon might have heard it, and the doore flying open, with a great force and strength.' After this opening salvo, Richard 'thrusted and crowded . . . upon . . . Dorothy' in order to make room for himself.³⁹ Time and again, the perpetrator's actions were described as being done 'violently and forcibly', or in a 'quarrelling', in an 'angry', or in a 'furious' manner, emphasising not only their contempt of the law, but also their loss of control over their passions and their potential for unrestrained violent

³⁵ Paul L. Hughes and James F. Larkin (eds), *Tudor Royal Proclamations, Volume I: The Early Tudors (1485-1553)* (London, 1964), p. 537; Paul L. Hughes and James F. Larkin (eds), *Tudor Royal Proclamations, Volume II: The Later Tudors (1553-1587)* (London, 1969), p. 177.

³⁶ BI CP.H 5027 1610: Bainton.

³⁷ BI CP.H 5915 1670: Kirby, Cleveland.

³⁸ CRO EDC.5 (1590), 15: Middlewich.

behaviour.⁴⁰ When Tobye Lawe pulled John Balye from his seat in Thornton (Yorkshire, East Riding) church in a ‘very forcable’ manner, Balye retorted by accusing him openly of being a ‘hote faced fellowe’, a man who no longer had control of his passions.⁴¹

The disputing parties and deponents also sought to contrast this frenzied anger with a ‘quiet’ and often pious response on the part of the victim. When Agnes Cromocke alleged that Anne Smith had ‘jumped upon her’ in her seat in Ilkley church (Yorkshire, West Riding), she claimed that the incident had occurred while she had been kneeling ‘devoutlie at her prayers’.⁴² Robert Reynolds was so concerned that his actions be seen in a peaceful light that he claimed that in desiring Thomas Sheasby to ‘lett him come to his place’, he had done so only by ‘whisperinge or speakeing softly’ to him. When Sheasby refused, Reynolds alleged that he ‘did onely gently put himselfe into the end of the said seate,’ or rather that he ‘onely thrust . . . Thomas Sheasby further Civilly and sat downe by him’.⁴³ At Middleton (Yorkshire, North Riding) in 1661 it was alleged that Richard Manby did ‘violently catch and take hold’ of Susanna Crouch’s ‘sholders or Armes’ whilst she was ‘devoutly attendinge’ her prayers.⁴⁴

However, this case also suggests that narratives concerning pew disputes might not only imply actual harm, but the potential for serious injury. This was particularly

³⁹ LRO B/C/5 1693: Shenstone.

⁴⁰ CRO EDC.5 (1590), 8: Wigan; CRO EDC.5 (1616), 1: Chester St. Peter; BI CP.H 1735 1626: Rodwell.

⁴¹ BI CP.H 1413 1619: Thornton.

⁴² BI CP.H 564 1609: Ilkley.

⁴³ LRO B/C/5 1690: Fenny Compton.

⁴⁴ BI CP.H 2531 1661: Middleton.

true where female protagonists were pregnant.⁴⁵ Manby allegedly ‘endeavoured by force to pull’ Crouch out of her seat, ‘pullinge and forceinge hir upon the ground she being then bigg with childe’. The allegation makes it clear that Manby’s actions not only threatened the well being of Crouch, but also her unborn child. As pregnancy was viewed as a dangerous and life-threatening stage in a woman’s life, the potential for a fatal injury resonates in the account. In 1666 Margaret Licet deposed that she had seen Edward Morgan ‘thrust’ himself into a seat in Keele church (Staffordshire) where John Wright was sitting with his wife who was ‘great bellyed’. Wright’s concern that his wife ‘should receive damage’ was translated into his decision to leave the seat and allow Morgan to take his place, suggesting that some issues were more important than status.⁴⁶

Witnesses and litigants alike were aware of the fatal potential of certain injuries, especially those caused by a blow to the head. At Guilden Sutton (Cheshire) in 1632, it was alleged that John Meacock ‘took hould of bothe the sholders of . . . John Martin . . . and did violently hale and pull him downe backwards, so that his body fallinge backwards, his feet cought hould of the nex[t] forme before him, otherwise he had fallen back upon his head into the seate behinde him’.⁴⁷ Alice Wilding alleged that in 1621 the chapel warden of Gorton, Manchester (Lancashire) ‘didst pushe or thrust her’ from a pew she had been attempting to climb into ‘and thrust her almost over with such violence that her hatt fell from her heade and with her handes she was faine to defend her face from bursting or bruisinge upon the chapel floore’. The implication was that

⁴⁵ Jenine Hurl, “‘She being bigg with child is likely to miscarry’: Pregnant Victims Prosecuting Assault in Westminster, 1685-1720’, *London Journal*, 24:2 (1999), 18-33.

⁴⁶ LRO B/C/5 1666: Keele.

not only had Wilding been shamed by the uncovering of her head in church, and that her quick thinking alone had prevented a more serious injury at the hands of the chapel warden.⁴⁸ Similarly, in a struggle between Thomas Barlowe and Richard Beneers over a seat at Wakefield (Yorkshire, West Riding) in 1629 Barlowe allegedly pulled the ‘door of the hinges, and threw the same downe and by violence thrust . . . Beneers forth of the same stall who was in danger to have fallen . . . but that he recovered himselfe upon the stalls’.⁴⁹ In a dispute between Anne Hewitt and Robert Jones over a seat in Dodleston church (Cheshire), Hewitt claimed that she had only pulled at Jones’ hair in order to regain her balance and prevent herself from hitting her head against a pew end. She also alleged that when Jones had thrown her from him, ‘he had like to have broaken her back’. Indeed, she testified that he had hurt her so seriously that she had been forced to cry out ‘Murther,’ and ‘thou Rogue wilt kill me’.⁵⁰

Malcom Gaskill has suggested that in early modern England, the link between violence and fatality at law was weak, and that the link between fatality and intended malice weaker still.⁵¹ Therefore, the last words of any person *in extremis* had a compelling evidentiary basis in law based upon an assumption that those about to be judged by God were unlikely to lie. Thus a victim’s cries of ‘I am killed’ was not so much a reflection of contemporary views concerning mortal wounds as a means of showing that the cause of death had been the perpetrator.⁵² In a similar way, individuals

⁴⁷ CRO EDC.5 (1632), 30: Guilden Sutton.

⁴⁸ CRO EDC.5 (1621), 7: Gorton, Manchester. On the importance of hats and head coverings for decorum see, Penelope J. Corfield, ‘Dress for Deference and Dissent: Hats and the Decline of Hat Honour’, *Costume*, 23 (1989), 64-79.

⁴⁹ BI CP.H 1817 1629: Wakefield.

⁵⁰ CRO EDC.5 (1680), 10: Dodleston.

⁵¹ Gaskill, ‘Reporting murder: fiction in the archives in early modern England,’ p. 24.

⁵² Gaskill, ‘Reporting murder: fiction in the archives in early modern England’, p. 25.

also called attention to physical attacks on their person in church, and even announced to those assembled what ‘weapon’ was used against them. When Anne Taylor was attacked by John Donnis at Daresbury (Cheshire) in 1639 she was ‘forst . . . to say to those who were neere her, oh how hee hurteth mee, oh how he hurteth mee’. As a result of the injuries she sustained, Taylor became so ‘very sick . . . that she was faine to goe forth of the said church,’ and went ‘sick to bedd’.⁵³ Litigants, determined to prove to the courts the extent of the physical and emotional pain they had endured, framed their experience in these vivid terms, whilst witnesses testified to having viewed the victim and the wounds themselves, or having heard descriptions of the same from their neighbours. Ralph Spooner had shown Gilbert Watson ‘a lumpe of his side as bigg as a mans hand’ where he alleged William Jackson had hit him in a pew dispute at Kirby in Cleveland in 1670. Another witness, James Wilkinson, confirmed his injury, but added that Spooner had ‘a very high colour’ when he went to receive communion.⁵⁴ George Taylor of Wrenbury (Cheshire) allegedly attacked William Cudworth in his seat in church in 1638 and ‘did strike and kicke him’ with his ‘spurre . . . and bruise his legges . . . and by such violence . . . rent and teare his stocking and caused his legge to bleede’. Cudworth bolstered his case by adding that he continued to find himself ‘inwardly hurt and bruised’ some months after the incident, including ‘dished blood and other hurts’. Cudworth’s unseen, internal, injuries had become visible and externalised in his

⁵³ CRO EDC.5 (1639), 56: Daresbury.

⁵⁴ BI CP.H 5915 1670: Kirby, Cleveland.

retelling of the event.⁵⁵ Taylor's attack was considered particularly heinous because spurs were defined as armour and therefore outlawed in church.⁵⁶

Pew disputes, however, were not only disputed through physical violence in the initial stages. Much of the abuse meted out by the parties involved was of a *symbolic* nature, often occurring on specific feast days, and was intended to shame and humiliate the other party. At St. Mary's, Nottingham (Nottinghamshire) in 1685, Charles Chadwick was accused of behaving 'immodestly or irreverently' on a 'feast day,' by sitting 'upon the lapp or knees' of Sara Parker for 'soe long till . . . Parker could not move nor scarce breath', and her 'complexion' began to look 'very redd'. A number of people in the congregation witnessed the incident and were 'moved to laughter'.⁵⁷ At Doveridge (Derbyshire) in 1641, Trewe Gilbert allegedly 'intruded herself' into a seat belonging to Anne Wild who was then forced to 'kneelee upon the church floore or elsewhere'. To add insult to injury Trew also, in a 'rude maliciouse and unseemly manner set herself downe' upon the lap of Wild's son, Thomas.⁵⁸ These cases undoubtedly imply a degree of sexual impropriety. Men and women often sat apart during services and the act of sitting on the lap of someone of the opposite sex, in particular of women or young men, extended flirtation so far as to involve an element of sexual mockery, even humiliation, hence Sara Parker's embarrassed 'redd' face and Anne Wild's moral outrage.

A number of attacks also included what appeared to be, or at least was presented as, the ritualised defilement of the victim's clothes with dirty boots and shoes. When

⁵⁵ CRO EDC.5 (1638), 193: Wrenbury.

⁵⁶ Marchant, *The Church Under the Law*, p. 56.

⁵⁷ BI CP.H 3640 1685: St. Mary's, Nottingham.

John Donnis attacked Ann Taylor in Daresbury church in 1639, he allegedly ‘pusht her so violently that her hatt fell into the next forme and mard and soiled her wastcoate and other clothes with Greece and dust with his feete’.⁵⁹ Likewise, when Francis Aslabby was accused of ‘thrusting’ Mrs. Constable out of her seat at Bainton in 1610, he also allegedly ‘rubbed his shoes being dirtye and full of myre upon’ her ‘gowne and kirtle’.⁶⁰ This humiliation may have been more deeply felt because the individuals involved were probably dressed in their ‘Sunday best’.

Symbolic and physical violence was often accompanied by *verbal* abuse, either directed at one party, or occurring between the parties. Shaming and humiliating one’s rivals in this way over a seat in church, by nature of the social implications of the loss of a seat, was an important weapon in any attempt to reclaim one’s right, particularly in the eyes of the local community. Elena Bennett of Liverpool testified that during a pew dispute in 1636 she had heard Elizabeth Larking say to Sara Melling that she was ‘but Mellinges wife and . . . she was a out comelinge and she was but a shitten mistres and that when any woman came to Liverpoole she would presently growe a mistres’. Larking articulated a community concern that newcomers to the parish were challenging the seats of those that were ‘towne borne’, thereby asserting the hierarchy of settled residence over that of wealth and property.⁶¹ However, verbal abuse also implied a lack of control and could reflect negatively upon the individual who spoke the words. In this way, when Anne Mitchell called Mary Mawde an ‘impudent slutt baggage and Jade’ in Halifax church, she contravened the law relating to brawling in

⁵⁸ LRO B/C/5 1641: Doveridge.

⁵⁹ CRO EDC.5 (1639), 56: Daresbury.

⁶⁰ BI CP.H 5027 1610: Bainton.

church. When Margaret Luther intruded into a seat in Lymm church (Cheshire) in 1635, Richard Percival advised her to 'carry herself reverently and modestly in the church'. She replied 'what hast thou to doe with it, thou must not be hanged for my faults'.⁶² Expectations of conduct in church were especially high, and as this account suggests, even higher for women. At the funeral of Lady Briggs in July of 1668, a dispute arose between Margaret Bridgen and Mary Mainwaring. Bridgen was overheard saying to Mainwaring, 'I know thee well enough, and for all thy long nose thou shall not have the place of me'. John Smith testified that from his position he understood that Bridgen 'had got the better' of Mainwaring with the 'virulency of her tongue'. Aware of the shame associated with a gentlewoman demeaning herself inappropriately in what was a very public forum, Anna Mainwaring claimed that she was 'abashed', and was forced turn away 'for shame to heare her [Bridgen's] loud and unhandsome speeches'.⁶³

Sexual reputation could also be deliberately undermined to shame and humiliate an opponent. In a number of pew disputes the sexual reputation of respected men in the parish were called into question with words that were clearly intended to be audible to those assembled in the church at the time.⁶⁴ A seat built by Richard Clark in Austrey (Warwickshire) had been pulled up and 'carried away' on two separate occasions. He confronted Henry Kendall following a church service in 1615 and they 'fell into chydinge termes about a seate . . . and fallinge into comparisons with each other'. Kendall said to Clark, 'thou art not soe honest a man as I for thou hast bene . . . cought

⁶¹ CRO EDC.5 (1636), 83: Liverpool.

⁶² CRO EDC.5 (1635), 128: Lymm.

⁶³ LRO B/C/5 1668: Shifnall.

⁶⁴ C.f. Bernard Capp, 'The Double Standard Revisited: Plebeian Women and Male Sexual Reputation in Early Modern England', *Past and Present*, 162 (February, 1999), 70-100.

with Richard Carpes' wife in a pigstye', a comment that one witness took to be an accusation that Clark was an 'incontinent lyver'. Clark alleged that he was 'much discredited' by Kendall's accusation, and Francis Johnson deposed that Clark 'was a man that lyved in good name and fame and was well accompted of', and for whom Kendall's words had 'bene and were a greate discredit'.⁶⁵ John Parker allegedly 'rayled againste' Peter Dutton in Waverton in 1633 and said 'alowde' that the pew in controversy was 'a pretty or poore possession for to keepe', as Dutton had led an 'incontinent life and did use some woman or women'. He then went on to accuse Dutton of holding the seat for a woman 'he had or did use to keepe for his whore' and tainted him further by suggesting that Dutton would 'sure have her picture drawn upon the wall to looke at'. However, Parker 'in an angrie manner' threatened to 'pull down' the seat in controversy and have it 'burned or fyred downe', thereby lessening the impact of his words by showing himself to be a man whose sense of honour was not matched by his self-control.⁶⁶

Contemporaries were very concerned that the violence implied by the code of honour should be restrained by the internalisation of an ethic of civility. Martin Ingram has argued that the concept of civility was increasingly voiced as the seventeenth century progressed, and was 'slowly added to existing linguistic repertoires, gradually appropriated, and turned to advantage'.⁶⁷ Furthermore, evidence from church court material suggests that the term 'civility' was not exclusively an elite commodity

⁶⁵ LRO B/C/5 1615: Austrey.

⁶⁶ CRO EDC.5 (1633), 36: Waverton.

⁶⁷ Martin Ingram, 'Sexual Manners: The Other Face of Civility in Early Modern England', in Peter Burke, Brian Harrison & Paul Slack (eds), *Civil Histories: Essays Presented to Sir Keith Thomas* (Oxford, 2000), p. 98.

concerned with polite behaviour. Rather, 'versions of the concept had resonance much further down the social scale and had a hard moral edge' that indicated conduct and qualities resonant of behaviour that would later be termed decent and respectable.⁶⁸ However, this discourse of civility was never confined to sexual matters. Visitation articles and injunctions, and the rubrics of the Prayer Book reverberated with notions of decency, order and comeliness, and sought information regarding 'rude and immodest behaviour'.⁶⁹ Thus the church was setting standards of religious behaviour based on concepts that chimed with those of civility. Terms such as 'unreverently' and 'uncivilly' were therefore grafted together to denote the disorderly behaviour of individuals within the church itself. In this very public forum it was expected that encounters between individuals of both equal and unequal status would be conducted with personal restraint and civility. However, as we have seen, the expectations that often shaped the behaviour of individuals in these situations could break down as brawls and disputes erupted.

Pew disputes clearly provoked intense reactions from those involved, and the punishment meted out by the church courts varied according to the extent of the damage or disruption caused. The parties involved attempted to prove the degree of 'inconvenience' caused, in particular the interruption of divine service itself. Rivals were therefore described as behaving 'unreverently,' 'immodestly', 'undecently', 'scandalously', or 'uncivilly' within the confines of the church and to have conducted themselves in a manner contrary to spiritual law. As a result of brawls in church, neighbours were described as being distracted, or even actively looking around them to

⁶⁸ Ingram, 'Sexual Manners', p. 88.

see what was going on. In a struggle between Thomas Barlowe and Richard Beneers, it was alleged that the congregation 'did rise upp to see what the matter was, there being a noyse made'.⁷⁰ When Anna Walker and Martha Bucke fought over a seat at Calverley (Yorkshire, West Riding) in 1634, there was a 'great uproare and disorder', and of the 'great multitude' that had assembled in the church that day, 'divers took notice'.⁷¹ When Dorothy Pollard shut the door of her pew in Wakefield church in 1694 to prevent Joseph Barras from entering, it made a 'great noise' and a great number of he congregation allegedly 'stood high upon their seates to observe the said accion'.⁷² Joseph Rigby of Wigan was accused of distracting the congregation in their 'due attencion' as he 'walked and talked and undecently behaved' himself by 'speaking swearing and walking' in a pew dispute in 1626.⁷³ In 1675 the churchwardens of Acton (Cheshire) were concerned that so much 'disquietness' had arisen over the right to a pew, that they warned the parties involved that they would throw them out of the church if they persisted.⁷⁴ The clerk at Wigan tried to prevent any further quarrelling between James and John Baron just as evening worship was to begin, but many in the congregation 'gaz'd upon this Bustle', which was 'an offence and trouble...being don at so solemn a time'.⁷⁵ The minister of Fillongly (Warwickshire) 'stamped and pounced with his foot to quiet' a 'stirre and trouble' between Mary Wilson and Eleanor Oughton in 1617, that had 'disturbed both the minister troubled divine prayer and the whole congregation'. 'Disquiet' in the local community, and in particular when it continued

⁶⁹ Ingram, 'Sexual Manners', p. 99.

⁷⁰ BI CP.H 1817 1629: Wakefield.

⁷¹ BI CP.H 2028 1634: Calverley.

⁷² BI CP.H 4343 1694: Wakefield.

⁷³ CRO EDC.5 (1626), 45: Wigan.

⁷⁴ CRO EDC.5 (1575), 6 and 10: Acton.

within the confines of sacred space, was therefore a source of serious concern to the congregation, and to the local religious hierarchy who attempted to prevent disorder breaking out during service time. Although contemporaries were often shocked at the violence of disputes in church, they were not always entirely surprised when contention did arise. Richard Greene alleged that the foot stamping routine employed by the minister at Fillongley was a strategy he 'used to doe when any . . . thing troubleth him in service tyme'.⁷⁶

As we have seen, cases brought before the consistory courts attempted to prevent further outbreaks of conflict, and either by means of a sentence deciding ownership of a pew or by punishment, they hoped to restore communal harmony. As most office and visitation cases were concerned with disobedience and disruption, the likely punishments were penance, suspension or excommunication. Robert Smith of Waverton (Cheshire) was ordered in 1632 to read the following penance after the second lesson, in an audible voice: Where as I (good people forgetting my dutie and service to Almightye god) . . . did take or pull up a seate', and 'did carrie the same unto the bellhowse . . . to the hindrance of such as should sitt in the said stall . . . to the prophanacion of the tyme and place . . . I am hartelie sorrie for this my greate fault'.⁷⁷ Instance suits, by contrast, were concerned more with settling disputes than with punishing offenders and concluded with a decision according to ownership, ordering that the unsuccessful party pay the costs of the trial.

⁷⁵ CRO EDC.5 (1694), 5: Wigan.

⁷⁶ LRO B/C/5 1617: Fillongley.

⁷⁷ CRO EDC.5 (1632), 60: Waverton.

In practice, however, only a minority of cases were prosecuted to a conclusion. For a number of reasons many suits were discontinued, and settled by mediation or arbitration on the part of court officers or other agents acting informally, both before and during the case at law.⁷⁸ Canon law principle encouraged that unless the suit raised issues that could not be compromised, the litigants should be actively persuaded to reach a settlement outside of the court to restore harmony between the parties as soon as possible. In October 1619, the London consistory encouraged Sir William Wiseman of Landon (Essex) to end his suit at law and 'incline to peace'. The chancellor also warned Wiseman's principal adversary, James Harris, of the 'hurt contention did and what great benefit was gotten by peace, and since it was in his power to make yt peace which was desired' he hoped that Harris would find a way. After Harris relinquished his claim to the seat in question in return for compensation, both parties 'promised to remit all former unkindnesses from thenceforth and to became loving frendes and in token thereof they presently shooke handes'.⁷⁹ This kind of mediation tacitly recognised that protracted lawsuits could cause bitterness and the disruption of neighbourhood and might hinder the course of the ideal of communal accord and 'quiet'. The length and potential cost of suits also encouraged this tendency. Moreover, the impact of pew disputes on a parish could be profound; its reverberations still felt through gossip and folk tale generations later. 'Disquiet' had not only occurred in the streets and doorways of the local community, but in the church itself, a factor that probably made it more

⁷⁸ J. A. Sharpe, "'Such Disagreement betwyx Neighbours': Litigation and Human Relations in Early Modern England", in John Bossy (ed.), *Disputes and Settlements: Law and Human Relations in the West* (Cambridge, 1983), pp. 167-87; Craig Muldrew, 'The Culture of Reconciliation: Community and the Settlement of Economic Disputes in Early Modern England', *Historical Journal*, 39:4 (1996), 915-42; Ingram, *Church Courts, Sex and Marriage*, p. 50.

⁷⁹ LMA DL/C/341: Landon (Essex), 29 Oct. 1619.

likely to be remembered.⁸⁰ Their significance can be seen through examples of mediation in the church court records, and in faculty materials.

Parish ministers, local gentlemen and other substantial inhabitants, or the neighbours and friends of the parties were frequently called upon to mediate and arbitrate in pew disputes. A witness from Bunbury (Cheshire) deposed in 1623, for example, that a previous dispute over the seat then in controversy had ended either because of the death of one of the parties, or through the ‘mediacon of frendes’.⁸¹ Almost from the commencement of a suit in Ripley (Yorkshire, West Riding) in 1636, the parties involved referred the matter in controversy to the hearing and final determination of certain friends who were to act as arbiters.⁸² Likewise, after *Tomlinson c. Clough* had been tried at the consistory court for some months, the parties ‘referred the hearing and determineing of the matter in suite . . . unto William Burne of Whalley Clerke’. In *Goodlowe c. Lowe*, Alexander Ford and James Gerard gentlemen were made ‘arbitrators for appeasing’ the dispute. The parties were bound to the decision made by the arbiters and they signed their names to an agreement to secure ‘perpetual order and end of all controversies’.⁸³ In *Matthews c. Wright*, Andrew Brockton alleged that Matthews sought to avoid ‘indecent quarreling’ by making a proposal of peace and seeking the mediation of their landlord, Mr Hanmer.⁸⁴

The pacific concerns of the ecclesiastical hierarchy about the disruption caused by these disputes are nicely emphasised in the response by the chancellor of the Bishop

⁸⁰ C.f. Steve Hindle, ‘Custom, Festival and Protest in Early Modern England: The Little Budworth Wakes, St. Peter’s Day, 1596’, *Rural History*, 6:2 (1995), 155-178, and especially 168-170.

⁸¹ BI D/C C.P. 1623/2: Bunbury.

⁸² CRO EDC.5 (1636), 98: Ripley.

⁸³ CRO EDC.5 (1641), 19: Clitheroe; CRO EDC.5 (1590), 8: Wigan; BI D/C C.P. 1601/4: Wigan.

⁸⁴ CRO EDC.5 (1692), 17: Hamner.

of London to a petition from St. Lawrence, Putney (London) in c.1614. The chancellor visited the parish in person to hear the differences between the parties, and he convened a meeting with the vestry in the hope of the 'settling of peace and amitye betwixt the parties therein grieved'. The members of the vestry then settled the dispute after 'mature deliberation' and a vote.⁸⁵ The involvement of vestries on the settling of disputes was not uncommon, particularly as the seventeenth century progressed. As we have already seen, they played a prominent role in the allocation and ordering of seats in the church.⁸⁶ At Holy Trinity, Coventry (Warwickshire) in 1663 a 'meetinge of vestrie men' was specifically 'designed for the hearinge, determininge and decidinge of controversies and differences which might growe or arise about ye seates'. In practice, the vestrymen 'viewed' the issue in hand and then they, or 'ye greatest parte of them' decided the case according to parish custom.⁸⁷ As the discussion in chapter two suggests, these concerns about pew disputes were one motive for the creation of select vestries. In Ealing (Middlesex) in 1612, the vicar and churchwardens complained that 'for want of a vestrie for many yeares there hath bin much disorder', both in 'taxing men indiscretely' and in 'disorderly placing of many in the church contrary to their rank and degree'.⁸⁸ Once created, vestries played a prominent part in regulating the local social order in general, and church seating in particular.

However, not all parties were prepared to seek the determination of mediators, nor to consent to their decisions. The vicar of Shenstone, Robert Grace, had been asked

⁸⁵ LMA DL/C/340: St. Lawrence, Putney (London), c. 1614.

⁸⁶ See Chapter 2 above.

⁸⁷ LRO B/C/5 1663: Coventry, Holy Trinity.

⁸⁸ Steve Hindle, *The State and Social Change in Early Modern England, c. 1550-1640* (London, 2000), p. 212.

by the wife of Rowland Collins to 'make peace betwixt' Dorothy Smith and Sarah Riding at a Christening feast. He was prepared to attempt to arbitrate as far as it was in his power to do so. Grace suggested that the parties divide the seat between them, but neither party would agree to this course and so Grace 'medled noe further in the matter'.⁸⁹ In a pew dispute between Marmaduke Morcliffe and Simon Liefe, a local gentleman approached the vicar, Richard Sandyman, and wondered if 'a peace' could be made between the two men. Sandyman then asked Henry Penssex if he could refer some neighbours to assist in the settlement of the dispute. Both parties agreed to refer the suit to the arbitration of four gentlemen, and bound themselves to the sum of £100 to abide by their order. However, only two of the mediators appeared to hear the details of the dispute, and Liefe decided to speak with his proctor concerning the arbitration. The process ultimately failed with Penssex warning that 'I warrant yow leave of giving of ffees to your lawyers and they will leave of following your causes'.⁹⁰

If local mediators failed, churchwardens could look to court officers, the Vicar-General, his chancellor, or even the Bishop to arbitrate. In a convoluted case from Church Hulme (Cheshire) in 1681, the exhibits included some letters written between the Bishop and Robert Needham some sixty years previously, regarding a suit between Hugh Winington and Edward Cotton over a seat in the chancel. Needham's ancestors had been benefactors of the church and had always held the right to appoint the curate of the parish, and were 'men of not[e], that have been borne the cheife Offices in the County yet have they Contented themselves to sitt in the Ile where Sir John Nedham

⁸⁹ LRO B/C/5 1693: Shenstone.

⁹⁰ BI C.P. 2108 1636: Oswald Church.

lyeth buried', and never made a seat for themselves in the chancel. By contrast, Wynington and Cotton were

at strife for that which belongeth to neither of them. They cannot be made ffreinds but the one must have a pewe where the Quire stood with Topp and Topp gallant that one cannot see out of the Church into the Chancell for the height of it, And doores to keepe all men out but himself.

Robert Needham was at his wits' end as to how to solve the problem and prevent any further conflict. He thought that the chancel might be divided into two, or that Cotton's 'Piramides' be taken down. The Bishop was concerned that two men of such high rank should be squabbling over rights in the chancel, which was the sole prerogative of the minister, 'yet this age of ours is grown so impious to justle the preist (and I feare at last will justle God himselfe out of his house as for this particular seat in controversie)'. The Bishop was, in the end, content that the parties use the south side of the chancel so Cotton could 'use the seate that caused all this stirre', and Winington could erect a seat joining it towards the east end of the chancel. It is nevertheless striking that, sixty years after a compromise had finally been agreed upon, the case was once more in the consistory courts.⁹¹

This rare insight into the often invisible processes of mediation reflects a wider concern for peace: a local order free from disturbance, contention and strife between neighbours. In the midst of disruption and conflict in church, the ecclesiastical courts and parish elites played a significant role in attempting to prevent both disorder during service time and protracted lawsuits. At every stage of the legal process, efforts were

⁹¹ CRO EDC.5 (1681), 2: Church Hulme.

made to restore communal harmony. However, recalcitrant parties could, and occasionally did, ignore the endeavours of mediators. Moreover, some attempts at mediation merely papered over the cracks of complex disputes, which was torn apart as conflict was renewed, sometimes years later.

(b) Star Chamber

Although the majority of cases involving pew disputes fell under the cognisance of the ecclesiastical courts, secular courts such as the court of Star Chamber might encroach upon spiritual jurisdiction. Cases were largely tried as offences against religion because they involved the disruption of divine service. Other ‘crimes’ often associated with pew disputes that allowed cases to be tried by Star Chamber were riot; conspiracy and combination; defamation; and contempt of Royal Proclamation. Dorothy Jackson was probably making a plea for her case to be considered by Star Chamber when in 1553 she claimed that Richard Barton and a large group of ‘riotous mysdemeanyd persons’, brandishing ‘swords bucklers pykes staves ironforks and other weapons’ violently thrust her out of her pew.⁹² ‘Fictional’ charges, in particular the strategic allegation of assault and riot, were renowned in the Jacobean period. Steve Hindle has suggested that riot was alleged in 64 percent of the actions brought by Star Chamber plaintiffs from Cheshire, and in 49 percent of those from Essex.⁹³

On the whole Star Chamber was not used as a court of first instance, but rather as a court of appeal or as a means of breaking a rival’s resolve. William Robinson and Richard Hodge, two defendants in a cause originating in Sithney (Cornwall) in 1605, alleged that Edward Fosse had pursued his case vexatiously. They also complained that

⁹² J. S. Purvis, ‘A note on pews and Stalls’, *Yorkshire Archaeological Journal*, 37 (1948-51), pp. 166-7.

Fosse was 'verie troublesome and contentious . . . with his neighboures', and that he was already on trial in the consistory court in Exeter for slanderous speeches.⁹⁴ Litigants such as these went to considerable lengths to prove their intentions honourable at the expense of their rivals. Jeffrey Cheesman of Rusper (Sussex) alleged that John Gardyner had vexed him with 'unjust' suits in law over the previous seven years, hoping to impoverish him. Cheesman was a carpenter who made his living by his occupation and his trade. Gardyner allegedly said that he would spend £1000 to drive Cheesman out of the county and that 'ere he had done in lawe with the defendant he wold not leave him worth a groate'.⁹⁵

Despite the operational differences between the secular court of Star Chamber and the various ecclesiastical courts in this period, a number of similarities existed, which were reflected in the characteristics of pew disputes across the jurisdictions. Like that of the consistory courts, Star Chamber justice was popularly sought, and privately initiated bills made up over 92 percent of all of Star Chamber business. Like ecclesiastical court records of libels, allegations and depositions, Star Chamber prosecutions can also help reconstruct the 'economic attitudes, social values and cultural priorities' that informed litigation, if they are considered in the light of their 'hidden transcripts' and in the cultural context of their production.⁹⁶

The focus of complaints in Star Chamber, particularly those involving physical violence and verbal abuse, was on the impact of these attacks upon the status and reputation of the individuals involved. As in the ecclesiastical courts, the violent

⁹³ Hindle, *The State and Social Change*, p. 78.

⁹⁴ PRO STAC 8/140/29.

⁹⁵ PRO STAC 8/155/29.

incidents recorded in Star Chamber depositions were often originally intended to shame the victim. When Elizabeth Russell was ‘thrust out of her seat’ in West Kingston church (Wiltshire) in 1610, she ‘quietly satt her downe upon the pavement’ near her pew whilst William Ivy, Harman Bigges and others used very many threatenings and opprobrious wordes’ against her, resulting in her ‘greate disgrace losse and damage’.⁹⁷ It was alleged that Thomas Penrose and others entered Sithney church armed and approached the seat where Mary Fosse was seated ‘and then and there using many foule and unseemly and reviling speeches’ pulled her out of the pew. Fosse alleged that Penrose had plucked her hat and kerchief from her head, torn her clothes and injured her. These events occurred on ‘some Hollidaye or Sondaye’, with the intention that thereby the disgrace ‘might be more Notorious and Knowen’, and ‘when there should be most resort of people to the same churche’.⁹⁸ The choice of a feast day (Whitsun) suggests that pew disputes were often deliberately ‘staged’ on days of festivities and communal rituals to further emphasise the symbolic shaming of rivals. Indeed, Penrose allegedly endeavoured to ‘raise and breed a perpetual scandall ignominye and disgrace’ against Edward and Mary Fosse, when he threw goat horns against the window of their house, in a manner associated with rough music and other communal sanctions. William Roupe alleged that Edmund Fortescue had struck him and spat at him in East Allington church (Devon) on Christmas day in 1615. Fortescue then waited for Roupe with some

⁹⁶ Hindle, *The State and Social Change*, pp. 78-9.

⁹⁷ PRO STAC 8/253/12.

⁹⁸ PRO STAC 8/140/29.

colleagues in the church porch where they threatened him and slandered the name of his father as he walked past them at the end of the service.⁹⁹

A remarkable case from Lostwithiel (Cornwall) in 1609 was particularly redolent of traditional, even ritualised, shaming techniques. In August 1606, Humfrey Betty and Walter Kendall took ‘a very filthy and venomous toad, and did break the body of the toad . . . upon the pew’ where the mayor William Goble sat, and ‘having bruised out all the filthy poison . . . and corruption of the . . . toad’, they left. Their intention was probably less to poison the mayor than to humiliate him. When Goble found another seat, Betty nailed it up so he was forced to take ‘another old seat’. The finale of this weekly serial came on All Saints’ Day when Betty and Kendall hid ‘divers dangerous and mischievous engines in the said seat’, and a block of wood to which was fixed ‘divers long sharp spikes and nails of Iron with points upwards’. However, Goble spotted the mantrap before he was impaled upon it, but his public humiliation was, in all likelihood, realised.¹⁰⁰

The removal and destruction of seats was therefore used to shame one’s rivals in a pew dispute, not only because it involved the destruction of a person’s property, but also because that property symbolised their place in the social order. It is often in the removal of pews by rival claimants that we can view how the space in the church could be used to denote reproach and dishonour. When Edmund Fortescue broke down William Roupe’s pew in East Allington church in 1615, he ‘did cast the same into a void place of the said Church’.¹⁰¹ In some cases the exact location of this ‘void place’

⁹⁹ PRO STAC 8/254/26.

¹⁰⁰ PRO STAC 8/149/21.

¹⁰¹ PRO STAC 8/254/26.

was made explicit. When John Gardiner's seat was pulled down in Rusper church, Greenfield, Cheesman and Mosse set part of the pew below or 'near unto the belfry'. Although it is of course possible that the belfry was used only as a convenient empty space in which to place the remnants of a pew, that Gardiner felt it was placed there 'only to shame vex disquiet and laugh and procure laughter' at him suggests that it could have a more significant social meaning.¹⁰² The belfry was often at the lower end of the church, and was probably set behind the lowest seating area. In Puddletown (Dorset), the poor were made to stand in the belfry in 1637, and at Rusper the belfry was considered a place 'not fit' to place the parish chest.¹⁰³ Several other cases turn on this issue. John Vaughan broke Robert Whitby's pew down and laid it 'on a heap in the belfry'. Not content, William Foster had two men 'hurl and carry' the pew 'out of the church into the Churchyard'.¹⁰⁴ When Henry Owen's pew was removed from Dolgellau church, the post and timber were carried outside the church and brought to several alehouses where the instigators 'burned the same tippling and drinking'.¹⁰⁵ In such cases, pews and their occupants were cast into social oblivion.¹⁰⁶

Star Chamber litigation over pews was however not simply concerned with restoring an individual's reputation, or indeed their property, but also with restoring peace and order to the church and the local community. This process could, through the involvement of a large proportion of a small population, tear a community apart. Like their counterparts in the spiritual courts, Star Chamber officers hoped that disputes

¹⁰² PRO STAC 8/155/29.

¹⁰³ Dillow, 'Church-Seating Arrangements', p. 154; PRO STAC 8/155/29.

¹⁰⁴ PRO STAC 8/292/8.

¹⁰⁵ PRO STAC 8/225/15.

¹⁰⁶ For further discussions of the belfry as a void space, see Chapter 2 above and Chapter 7 below.

might be settled swiftly if the litigants were prepared to submit themselves to the arbitration of commissioners, who might or might not include Justices of the Peace. However, even the cost of Star Chamber litigation, and the heavy fines and brutal corporal punishment of the court did not discourage the recalcitrant conduct of the litigants themselves who sometimes defied the efforts of the commissioners, and those of other courts in which the cases had been heard. In 1608 Hugh Wynnington and Edward Cotton had submitted their dispute over a seat at Church Hulme to the arbitration of Bishop Lloyd of Chester, yet years later hostilities resumed.¹⁰⁷ When the Bishop of Salisbury was unable to resolve a conflict over a pew brought directly to him by George Ivy and the Parson of West Kingston (Wiltshire) in 1610, he refused to 'meddle any further' and left the parties to follow further legal courses.¹⁰⁸ A number of parties that appeared before Star Chamber had not succeeded in solving their disputes through either informal or official arbitration. Social conflict over pews could, then, manifest itself in several ways, but the motivation for dispute and the meaning it had for protagonists can only be reconstructed by analysis of the social status of those involved.

III

The Social Profile of Disputants

The violent and passionate behaviour of those involved in pew disputes in this period are an indication of the intensity with which individuals sought to gain and preserve their social precedence over others. If church pews were a means of expressing

¹⁰⁷ PRO STAC 8/102/14.

¹⁰⁸ PRO STAC 8/253/12.

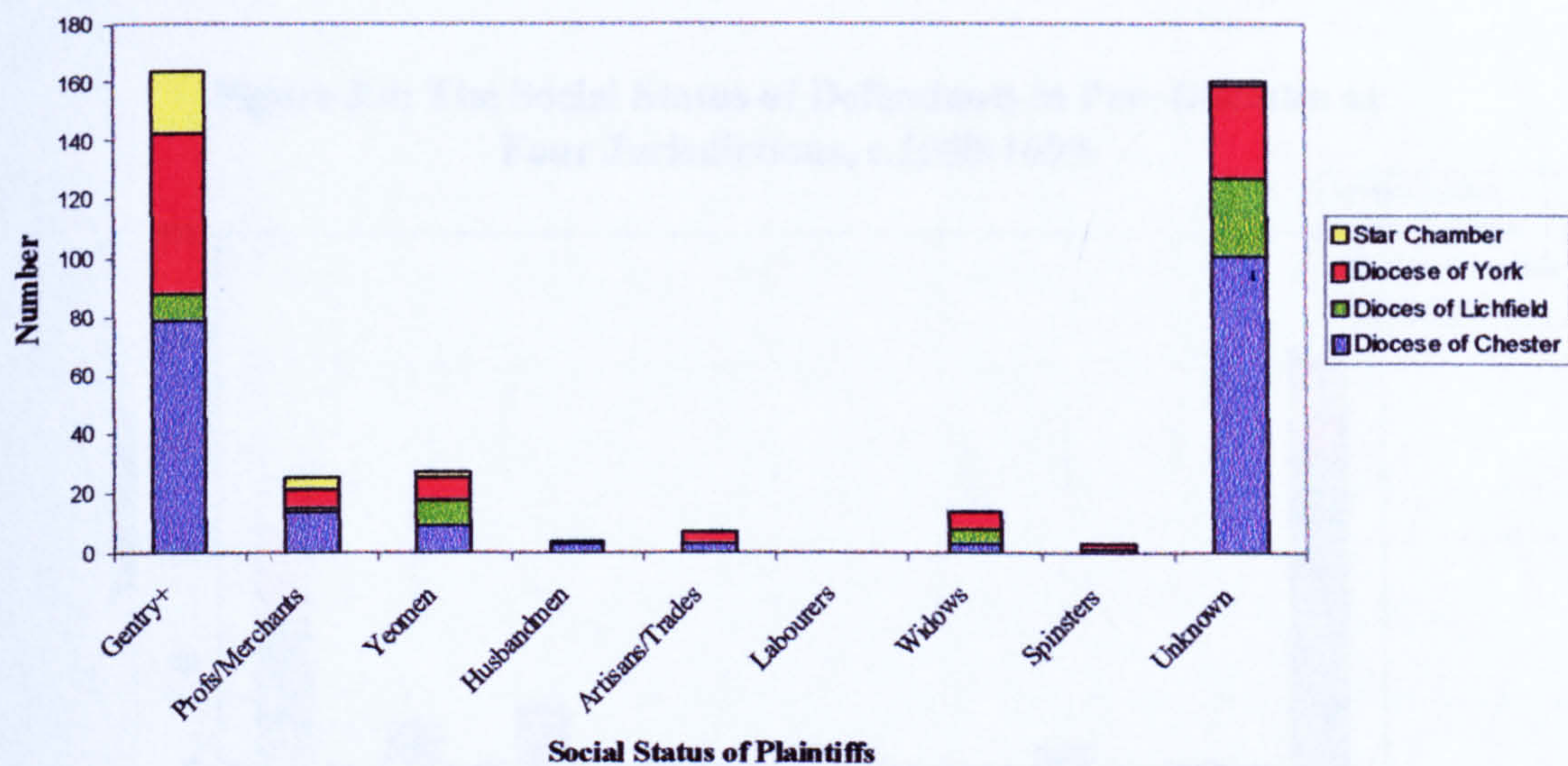
a person's place within the local parish community, the question remains as to which groups were most sensitive to symbolic reductions in their status. For David Underdown, it was the marginalised, especially the poor and women, who were the most vulnerable to these reductions. Conversely, Margaret Steig suggested that it was the *arrivistes* and *nouveaux riches*, eager to establish their place in the social order, who were most characteristically involved as plaintiffs. Susan Amussen, however, perceived significant regional variation in the social character of pew disputes.¹⁰⁹ The lack of systematic research over a geographically wide-ranging area has caused difficulties in untangling whether these disputes were essentially specific (parochial in the literal sense of the word) or whether they reflect wider concerns about social order and social mobility.

Kevin Dillow undertook the first attempt at systematic research into the social profile of those involved in pew disputes. Dillow found that in instance causes and petitions for faculties, the gentry were particularly prominent as plaintiffs and initiators. In office cases, however, the middling sort were much more likely to be involved. Dillow's central argument is that instance causes concerning pew disputes were fought out between parties of broadly similar social status, and especially gentry. Of the sixty-four instance cases considered by Dillow where the status of both the plaintiff and defendant were explicit, thirty-four were of equal status. Of the remaining thirty, twenty-four were brought by plaintiffs of a higher status than the defendant and only six were against defendants of a higher rank. On the whole, plaintiff and defendant were

¹⁰⁹ David Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England, 1603-1660* (Oxford, 1985), pp. 31-2; Margaret Steig, *Laud's Laboratory: The Diocese of Bath and Wells in the Early Seventeenth Century* (Pennsylvania, 1974), p. 238; Amussen, *An Ordered Society*, pp. 141-2.

separated by only one ‘place’ in the social hierarchy. Dillow explains this pattern in terms of the increased likelihood that the gentry would have sought to defend their rights to prescriptive titles. However, Dillow’s approach has one crucial weakness: his analysis of the social profile of plaintiffs in instance causes is based on a sample in which the social status of the plaintiff was given in only 31 percent of cases. In his sample of office causes, furthermore, the social status of only 17 percent of the defendants was known.¹¹⁰ In many respects, therefore, Dillow’s interpretation is an argument from near, if not total, *silence*.

Figure 3.3: The Social Status of Plaintiffs in Pew Disputes in Four Jurisdictions, c.1550-1699



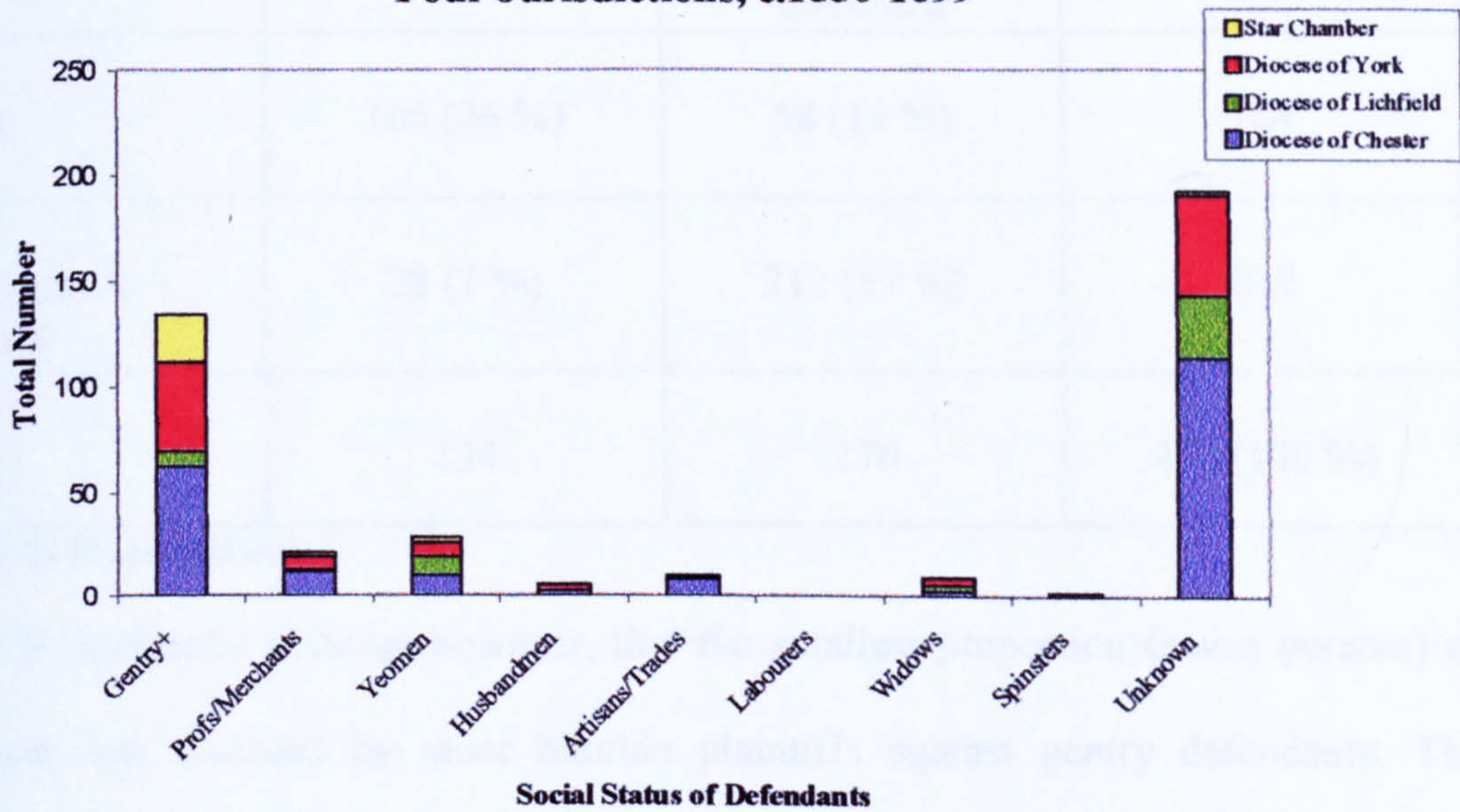
Source: CRO EDC.5, LRO B/C/5, BI Various, PRO STAC 8.

The following analysis tests Dillow's findings against a sample of 404 instance cases drawn from four jurisdictions. Figure 3.3 suggests that the gentry were overwhelmingly over-represented in the profile of plaintiffs of *known* social status, accounting for some 72 percent. The middling sort together comprised 28 percent of

¹¹⁰ Dillow, ‘Church-Seating Arrangements’, pp. 204-7.

those whose social status was given. However, if it is assumed that those of *unknown* status were by definition unlikely to have been of gentle status or above, the social profile of plaintiffs looks rather different. The gentry then comprise only 41 percent and non-gentle plaintiffs constitute 59 percent. A similar, though less marked, pattern is evident in the profile of defendants. As figure 3.4 shows, the gentry constitute 67 percent of all those of *known* social status, but only 33 percent of *all* defendants. The implication of this is that although the gentry were undoubtedly responsible for initiating (and, indeed, for defending) a substantial minority of instance causes over pews, pew litigation was emphatically not exclusively the preserve of gentlemen as Dillow had suggested.

Figure 3.4: The Social Status of Defendants in Pew Disputes in Four Jurisdictions, c.1550-1699



Source: As Figure 3.3 above.

This conclusion is reinforced if the ‘social analysis’ of plaintiffs and defendants in presented in table 3.1 is taken into account. This method of tabulating the social

profile of litigation is derived from that in Brooks (1986).¹¹¹ Here it is assumed once again that those whose status was unknown were unlikely to be gentry. It is immediately evident that only 26 percent of all pew litigation was fought out exclusively between gentlemen. Given that the gentry probably constituted only two percent of the population, this extent of participation remains striking. Even so, Dillow's assumption that considerations of precedence in church seating were confined largely to the gentry must be called into question.

Table 3.1: Social Analysis of Plaintiffs versus Defendants in Pew Disputes in Four Jurisdictions, c.1550-1699

Plaintiffs	Defendants		Total
	Gentle	Non-gentle & unknown	
Gentle	106 (26 %)	58 (14 %)	164
Non-gentle & unknown	28 (7 %)	212 (57 %)	240
Total	134	270	404 (100 %)

Source: As Figure 3.3 above.

It is equally striking, however, that the smallest proportion (seven percent) of litigation was initiated by more humble plaintiffs against gentry defendants. The middling sort on this evidence do not appear to have been waging class war against the gentry. The overwhelming majority (57 percent) of pew litigation appears to have been fought out between non-gentle parties of broadly similar social status. Although it is

¹¹¹ Brooks, *Pettyfoggers and Vipers of the Commonwealth*, p. 61.

difficult to be precise about inequalities of wealth, status and power within these middling groups the differentials in the distribution of professionals and merchants, yeomen, husbandmen and artisans and tradesmen presented in Figures 3.3 and 3.4 are suggestive. One might tentatively conclude that the greater part of those involved in pew disputes were professionals, merchants and yeomen.

Around two thirds of all defendants, and just under two thirds of all plaintiffs, in pew cases in our period were non-gentle, suggesting that concerns over one's position in church cut vertically through the social hierarchy, but were of most concern to men of the middle and upper ranks of the local community. Indeed, a 'typical' pew dispute did not necessarily involve two men of gentle status or above, but rather two men of middling status in which the parties involved were of a broadly similar status and rank. These self-styled leaders of the local community were the very men who organised the introduction of new seating plans and who bore the greater part of the financial burden of alterations to the church furniture. They also often held the office of churchwarden and were responsible for the ordering of the parishioners in their pews. As the 'better sort' and the 'chief inhabitants' of the parish community, these men would have found it almost impossible to relinquish their position in the church modestly or meekly when they discovered others of the same or similar social status occupying their place in such a public arena. When challenges like this occurred, confrontation and conflict were inevitable.

By contrast, the poor, and in particular landless labourers are conspicuous by their absence as plaintiffs and defendants in pew disputes. Pews were a symbol of status and honour and because of the way seats were often allocated as appurtenant to a

property, those involved in pew disputes were most likely to have been settled householders and those who had a stake in the local community. The poor, landless, and young servants rarely appear in any of the records concerning pew litigation studied by recent historians. It is unlikely that these groups could claim the right to a specific place in the church as they neither held property, nor participated in the formal politics of the parish. As David Underdown suggested, the church was another reminder that these groups had 'no voice, nor authority . . . but only to be ruled'.¹¹² However, this is not to suggest that those lower down the social scale, for example, husbandmen, artisans and tradesmen were necessarily always deferential and passive in the context of where they sat in church. Nor is it to suggest that these groups absorbed hierarchical values as expressed in church seating arrangements more thoroughly than those groups which sat in more eminent positions in the church and were more prominent in pew disputes.¹¹³ Husbandmen, tradesmen and artisans *were* involved in quarrels over seats in church. Indeed, to even the most modest of householders, the status conferred by the ownership of a seat in church provided them with an important symbolic statement that they belonged to the community, albeit on the margins.

Despite their essentially marginal relationship to political power, it is also true that women often contested the ideal of the social order as created and represented by men in church. Analysis of the gender of plaintiffs and defendants in the pew disputes in this study provides some significant results (Table 3.2). Causes heard before these courts suggest profound differences with defamation and slander suits, in which 85

¹¹² L. Alston (ed.), *Sir Thomas Smith, De Republica Anglorum* (Cambridge, 1906), p. 46, cited in Underdown, *Revel, Riot and Rebellion*, p. 10.

¹¹³ This is a point to which we shall return in Chapter 4 below.

percent of cases from London were sued by women, and these were almost exclusively against other women.¹¹⁴ Only five percent of pew disputes in our jurisdictions were sued by women against other women. By far the most substantial number of cases, 76 percent, were sued exclusively by men against other men. The absence of women from

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Table 3.2: Gender Analysis of Plaintiffs versus Defendants in Pew Disputes in Four Jurisdictions, c.1550-1699

Plaintiffs	Defendants		Total
	Male	Female	
Male	306 (76 %)	41 (10 %)	347
Female	37 (9 %)	20 (5 %)	57
Total	343	61	404 (100 %)

Source: As Figure 3.3 above.

the court records can in part be explained by the fact that church seats were often claimed in the right of a house, which was invested in men as householders. This is emphasised by the fact that women fought in over a third of the cases heard before the ecclesiastical court in Chester as parts of larger groups, as married couples, or alongside men. Men often went to court to protect the honour of their wives, sisters or daughters, thereby protecting their household from discredit and shame. For example, in 1663 James Goldring of Melton Mowbray (Leicestershire) was presented for ‘hubbing’

¹¹⁴ Laura Gowing, ‘Language, Power and the Law: Women’s Slander Litigation in Early Modern London’, in J. Kermode and G. Walker (eds), *Women, Crime and the Courts in Early Modern England* (London, 1994), p. 27.

(pushing) the wife of Chris Roo who he claimed had ‘disturbed’ his wife in her pew.¹¹⁵

Likewise, men were expected to ensure the obedience of the women and servants of their households in church.

In this sample, as in the Essex sample considered by Amanda Flather, there is a conspicuous absence of young, single women and aged, poorer widows (see Figure 3.3 and 3.4). A small number of widows did fight to maintain the status and reputation of their households in the context of the parish church following the death of their husbands (Figure 3.3). These cases account for a large proportion of disputes sued by women against men. However, these women were not drawn from the ‘poorer sort’ of local society, but rather came from the middling to upper ranks who faced the responsibility of running a large estate, farm, or business and had to consider the practical necessity and possibility of re-marriage. As David Underdown has suggested, vulnerable and voiceless women may well have suffered the ignominy and humiliation of a reduction in their status in the powerlessness of silence.¹¹⁶ The records of early modern English church courts are unsurprisingly unforthcoming on this issue.

However the involvement of any women at all in pew disputes, both at court and as they actually occurred, suggests that women might actively engage in what might be termed the ‘public sphere’. Recent historiography has suggested that rather than being restricted to the ‘private sphere’ of the home, women could at times claim an active public role in the protection of the interests of their families, for example, in the

¹¹⁵ Leicestershire Record Office 1 D41/B/68: Archdeaconry Office Act Book 1661-3, f.43v. I would like to thank Professor Bernard Capp for this reference.

¹¹⁶ Underdown, *Revel, Riot and Rebellion*, pp. 31-2.

organisation of food riots.¹¹⁷ It should not be surprising therefore that some women were prepared to publicly challenge and resist any threats to the status and reputation of their households in the context of the church.

In the vast majority of the cases drawn from this sample, concerns over social status and social mobility loom large. Pew litigation is also highly revealing of several other causes of conflict. These include concerns about the relationships between hierarchies of age, gender, office holding, and settled residence; and about the impact of social, political, religious, economic and demographic change on the local community. These are issues to which we shall return in later chapters.¹¹⁸ Concerns over precedence are nonetheless thrown into even greater relief by consideration of the attitudes of those who felt they were losing the competition over status: the rhetoric of honour and status found its counterpoint in the rhetoric of shame and discredit. Although disputants were often rather modest about positively asserting their own claims to honour, status and privilege, they were rather more forthcoming when they felt that these social assets had been undermined or called into question. The rhetoric of honour was most prominent when emphasising a sense of loss and disgrace.

IV

Shame and Discredit

The wrangling between members of the 'better sort' who quibbled over their status within the higher echelons of local society found expression in a language of

¹¹⁷ R. A. Houlbrooke, 'Women's Social Life and Common Action in England From the Fifteenth Century to the Eve of the Civil War', *Continuity and Change*, 1:2 (1986), 171-189; Diane Willen, 'Women in the Public Sphere in Early Modern England: The Case of the Urban Working Poor', *Sixteenth Century Journal*, 19 (1988), 559-575.

discredit. As we have seen, the impact of shame and dishonour might be intensified by the symbolic use of physical and verbal abuse, by the destruction of pews, and by the choice of ^a particular day to heighten the sense of public disgrace. The ignominy of public shame was exacerbated by the frequent use of lower social groups, of the young and of women to personify 'poor reputation'.¹¹⁹ The defence of one's seat in church represented the defence of one's status in the local community, and an intrusion symbolised a claim to equality of status with the occupant. Sensitivity to these intrusions was therefore intense. In 1638, the Earl of Huntingdon wrote to the Dean of the Arches complaining of an intrusion into his seat, claiming that 'in all my time . . . I was never so confronted nor such an indignity offered to be put upon me'.¹²⁰

These indignities are nicely revealed in a pew dispute that arose between William Button and Ralph Bailey in Bath Abbey church (Somerset) on Christmas Day in 1620. This was apparently sparked by Button's decision to place his wife in Bailey's seat where 'it had not been known before that any woman had before that time used to sit'. Bailey was convinced that Button was familiar with this custom and that his actions were intended to 'putt a disgrace upon' him. Bailey further alleged that Button provoked a quarrell by placing 'diverse persons of very meane rancke and quality farre inferiour' to him in the seat, leaving no room for him. Button concluded this humiliation of Bailey with a diatribe against his professional reputation and his credit within the community, calling him a liar, a base fellow, a knave and a 'pisspot' doctor

¹¹⁸ See especially Chapters 4, 5 and 7.

¹¹⁹ See Chapter 4 for a further discussion on popular perceptions of the social order.

¹²⁰ Dillow, 'Church-Seating Arrangements', p. 221.

who was not fit to 'give physicke to anie unlesse yt were to horses or dogges'.¹²¹ Edward Keate of Eastlocking (Middlesex), allegedly hired Richard Wright, a common quarreller and drunkard, desperate and poor, to intrude into John Keate's seat in 1611, 'it being but a convenient room for one man'. Wright then spent the remainder of the service with his hat on, his feet upon a settle, and without kneeling.¹²² Thomas Tye, a gentleman from Clarebrough (Nottinghamshire), alleged that he had found George Spivy with some servants and 'boyes' in his seat in the church in 1611.¹²³ A pew dispute in 1612, between Henry Hampton and Robert Kilvert, turned upon the right to a servant's pew in Stanton church (Derbyshire). In defiance of Kilvert's claim to the pew, Hampton placed his maidservant, 'a little beggerlye drudginge wenche', into the contested seat.¹²⁴ In a similar manner, it was alleged that Joseph Rigby had sat in a seat on the north side of the chancel in Wigan in 1626, and had encouraged 'men of meane condition and not of that parish vizt. Masons, or labourers of Blackburne parish' to sit with him, 'on purpose to confront' the rector by 'sitting neere unto him and next to his wife'.¹²⁵ When Stephen Gee was trying to establish a prescriptive title to a seat belonging to Lady Ann Moseley, he had 'called or procured other persons of meane rancke and quality like unto himself to come into the said seate' in order to keep Moseley out.¹²⁶ William Hall actually admitted to using his retainer to maintain

¹²¹ PRO STAC 8/54/11.

¹²² PRO STAC 8/193/16.

¹²³ BI CP.H 660 1611: Clarebrough.

¹²⁴ LRO B/C/5 1612: Stanton.

¹²⁵ CRO EDC.5 (1636), 45: Wigan.

¹²⁶ CRO EDC.5 (1639), 4: Manchester.

possession of a contested pew. Servants were not only used to shame the occupants of a pew, but to retain possession of a disputed seat.¹²⁷

The distress of losing one's seat could, therefore, result in a profound sense of shame. In 1620, Attorney-General Yelverton's interrogatories implied that Lady Unton, mistress of Swallowfield House, no longer wished to attend her parish church because the only pew available was one behind Mistress Woodcock, whose husband was then the tenant of her rival, Samuel Backhouse. The tension provoked by the fracas in church was so great that it led to John Phipps actually shooting Backhouse - an indication of how deep the sense of honour could run.¹²⁸ William Joliffe felt that if he lost his claim to a seat in Leek church, he would be 'much damnified'.¹²⁹ Hugh Crosbie's mother hoped that she would not forfeit her right to a seat in Great Budworth church, and her claim that she would spend £100 'ever she lose it', suggests that she had even put a notional value on her reputation.¹³⁰

The language of those that had lost their seats, or feared the loss of their place in church, was therefore expressed in terms of disinheritance, dispossession and deprivation. Richard Coates alleged that Robert Lawndes had 'deprived' him of the possession of his seat in Egton church (Yorkshire, North Riding) and that he had since been 'forced to sit amongst boyes and children'.¹³¹ When Agnes Cromocke had forced Anne Smith to 'leave her own seate . . . and take another', Smith claimed that she had

¹²⁷ PRO STAC 8/129/17.

¹²⁸ PRO STAC 8/24/2. For the context, see Steve Hindle, 'Hierarchy and Community in the Elizabethan Parish: The Swallowfield Articles of 1596', *Historical Journal*, 42:3 (1999), 835-51.

¹²⁹ LRO B/C/5 1663: Leek.

¹³⁰ CRO EDC.5 (1629), 9: Great Budworth.

¹³¹ BI CP.H 1788 1628: Egton.

been ‘wrongfully dispossessed’.¹³² John Dutton alleged that George Snell had claimed a seat in Guilden Sutton church in order to ‘displace and wronge’ him.¹³³ This sensitivity to encroachment was also reflected in the deep suspicion of a rival’s intentions and motives. Robert Halliwell was concerned that an encroachment onto his place in Eccleston church (Cheshire) in 1697 was made ‘with design to Dispossess’ him of his seat.¹³⁴ Martha Wardman claimed that she had never ‘endeavoured to spoil and deprive’ John Appleby of a seat in Coley (Yorkshire, North Riding) as it was hers by right.¹³⁵

The shame induced by the sense of loss could, as we have seen, also provoke a violent response. Thomas, Ralph and Robert Burrows, ‘being discontented’ and feeling indignant that they had been ‘displaced’, went to Nantwich church (Cheshire) in 1630 armed with ‘hatchettes, hammers’ and other ‘instruments or engins’ and broke the lock from the door of the pew in question. They then removed the planks that were fastened to the bottom of the pew and had ‘rushes . . . in the said pew . . . upon the jeyste . . . with the intent to cover the same, so that the taking away of the . . . boardes might not be discovered’, hoping ‘thereby to entrap such as entred into the said seate . . . that they might slip, fall or stumble, or might receave some disgrace’.¹³⁶ Dishonour and disgrace might inspire a vicious circle in neighbourly relations, and displacement in itself often provoked retaliatory actions on the part of individuals who felt they had been wronged or suffered disrepute in a pew dispute.

¹³² BI CP.H 564 1609: Ilkley.

¹³³ CRO EDC. 5 (1639), 21: Guilden Sutton.

¹³⁴ CRO EDC.5 (1697), 2: Eccleston.

¹³⁵ BI CP.H 3648 1685: Coley.

¹³⁶ CRO EDC.5 (1630), 54: Nantwich.

Mervyn James has suggested that the 'pervasive violence' in early modern English society was rooted in a mentality defined by the concept of honour that emerged from a long-established military and chivalric tradition. This was characterised by 'a stress on competitive assertiveness' and assumed a state of affairs in which the resort to violence was both natural and justifiable. Honour could 'both legitimise and provide moral reinforcement for the politics of violence'.¹³⁷ However, from what we have seen of those involved in pew disputes, concerns about honour reached far down the social scale and were not the preserve of the gentry or the nobility whom had been traditionally been considered to be predisposed to honourable behaviour. Nor, it seems, did they attach themselves exclusively to men.¹³⁸

James further argues that violence was used to protect or enhance the honour of an individual or household. The evidence considered here suggests that violence was largely used by men of the middling to upper stratum of the local community, although women were also occasionally present. The very poor, it seems, rarely resorted to this form of violence to enhance or protect their honour. Honour was, after all, 'not in his hand who is honoured, but in the hearts and opinions of other men'.¹³⁹ Dishonour therefore occurred when the 'world would speak of your shame to the world's end'.¹⁴⁰

The context for these disputes, the parish church, heightened the popular sense of honour by virtue of its centrality in parish life. As in the case of the Burrows family (see above, p. 34), the setting of the church had the potential to aggravate the sense of

¹³⁷ Mervyn James, 'English Politics and the Concept of Honour, 1485-1642', reprinted in Mervyn James, *Society, Politics and Culture: Studies in Early Modern England* (Cambridge, 1986), pp. 308-9.

¹³⁸ James, 'English Politics and the Concept of Honour', p. 310.

¹³⁹ Cited in James, 'English Politics and the Concept of Honour', p. 312.

¹⁴⁰ Cited in James, 'English Politics and the Concept of Honour', p. 312.

loss and therefore increase the likelihood of violence. However, competitiveness did not invariably lead to violent expression. Aggression was always latent in the relationships between those of competing status, and those whose honour was threatened, but it was always subject to restraints. Indeed, as Elizabeth Foyster has argued concerning the relationships between husbands and wives, men were expected to demonstrate their claim to reason by exercising self-control over the passions, emotions and temptations usually associated with women. Likewise, men of honour were subject to the restraints imposed by the 'community of honour', namely by lordship, kinship and friendship, and by the routines of good manners and courtesy.¹⁴¹ They were also increasingly constrained by the imperatives of a nascent code of civility.¹⁴²

The law itself offered one form of restraint, and the presence of these cases in various courts across the land reminds us that violence was not always an acceptable option in the settling of dispute; there was a threshold beyond which violence could not be tolerated. Neither was the law itself always an acceptable option. Neighbourhood sanctions and the processes of arbitration are a reminder that violence in church was viewed as disruptive, and as a source of communal 'disquiet'. The sanctity of the church building, governed by ecclesiastical and secular law, restrained (even if it did not actually prevent) the excessive use of force in these disputes, particularly during service time. The physical presence of mediators (such as churchwardens or even the minister himself) at the time when disputes actually erupted may also have checked the

¹⁴¹ Elizabeth Foyster, 'Male Honour, Social Control, and Wife Beating in Late Stuart England', *Transactions of the Royal Historical Society*, 6th series, 6 (1996), 215-224; James, 'English Politics and the Concept of Honour', p. 313.

¹⁴² Ingram, 'Sexual Manners', pp. 87-109.

escalation of violence. In and of itself, violent conflict over pews alone did little to reinforce notions of the social order inherent in the seating arrangement, and at times undermined it. However, the controlled use of violence and the resolution and arbitration of dispute could and did reinforce these notions, and as such, people were unafraid to use these mechanisms to protect their honour.

The church was, therefore, an arena where honour and shame, violence and civility, self-assertion and restraint, came face to face. In the context of the parish church this heightened sense of honour was qualified by the moral imperatives of forgiveness. Conflicts might, moreover, arise in a variety of different spaces in the church. Although most pews were situated in the nave ensuring that disputes were most common in this space, conflicts also arose over chancel seats, pews in the choir, and even seats in private chapels. Indeed, there was rather more violence in early modern English churches than one might expect. Even in church, it seems, concerns over honour frequently overrode notions of civility or even of reverence. This is reflected in the fact that there were no clear differentials between the spaces in church that were the site of violent eruptions; that is, no place in the church was more sanctified.

As we have seen, the impact of shame and dishonour in pew disputes was intensified by the symbolic use of physical and verbal abuse, by the destruction of pews, and by the choice of a particular day to heighten the sense of public disgrace. However, the symbolic shaming of a rival in a pew dispute stood in sharp contrast to the disgrace invoked by other communal shaming rituals such as the placing of ram's horns outside the window of a neighbour. Almost every member of the local community attended church on a Sunday and thus the shame was not only public, but it also occurred in

daylight. The imperative to bring shame upon a rival, or conversely, to restore one's honour was therefore more compelling precisely because it was universally witnessed.

An individual's place in the church was clearly central to their own perception, and others' perceptions, of their standing in the local community, and as such it was worth fighting over. Those who fought for these places were predominantly, though not exclusively, men of good rank and credit in the community. In the eyes of contemporaries, pew disputes were intimately linked to notions of honour, and thus by implication, to notions of hierarchy and social status.

Chapter Four

Pews and Popular Perceptions of the Social Order

As we have seen, the records of the church courts and Star Chamber do not always include direct information about the *litigants* involved in lawsuits. However, they do provide a relatively comprehensive profile of the *deponents* whose testimonies are the foundations of this chapter. The following discussion also draws upon the personal answers of defendants and plaintiffs. Depositions include descriptions of the marital status, occupation, place of birth and the length of residence in the parish. All of these items vary in the accuracy with which they were recorded. Ages were rounded up or down; women were described on the basis of their marital status and not by occupation (except if they were servants); conversely, men were only described by their occupation and never by marital status; and sometimes certain elements were wholly absent. However, from these details we can at the very least draw a partial image of the people whose attitudes we are considering as an index of popular perceptions of the social order as they are reflected in pew disputes.

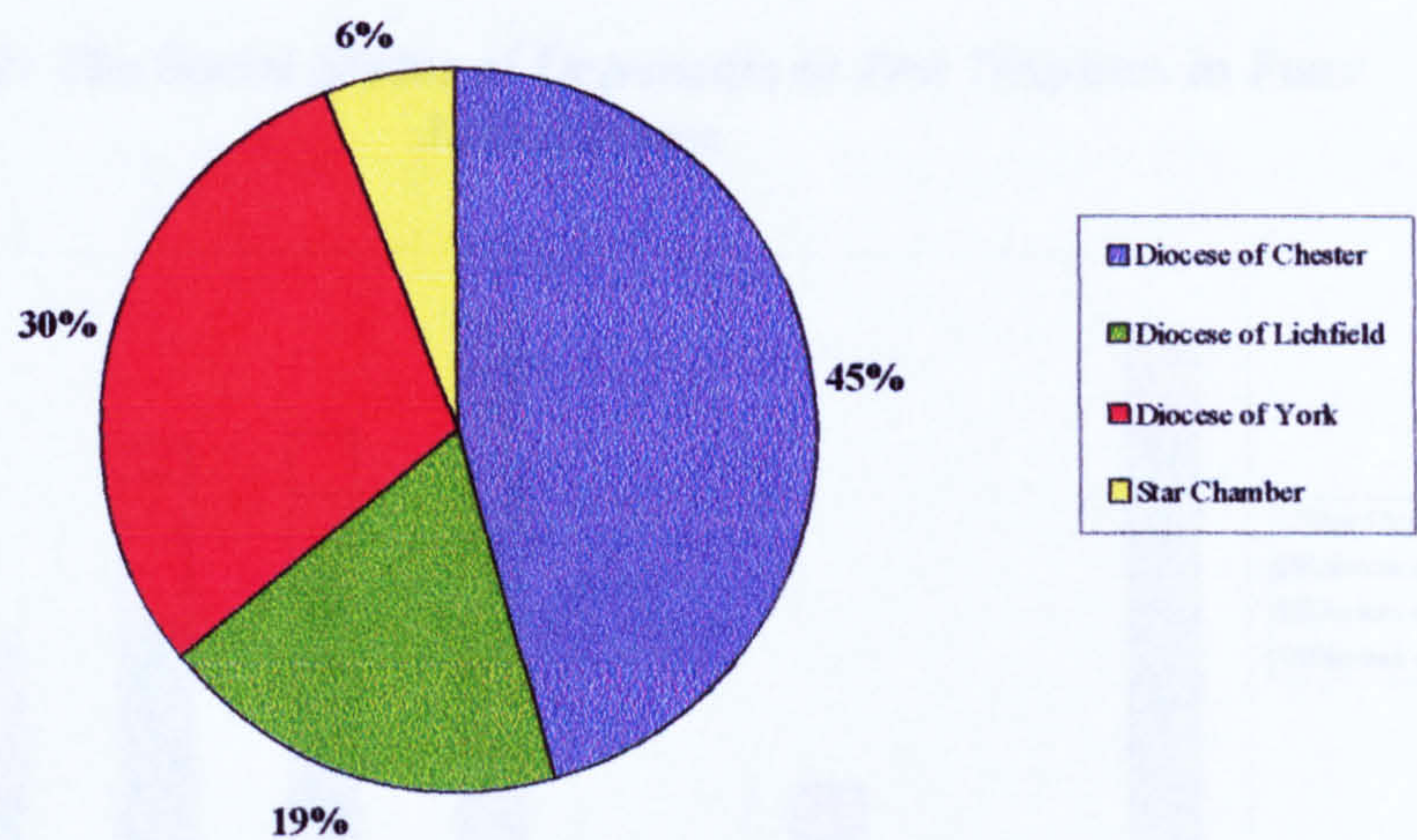
I

The Status and Identity of Deponents

The main sources for this chapter are the depositions of 1809 witnesses in four of the jurisdictions discussed in the introduction. The faculty records from the vicar-general's books of the diocese of London are excluded, as they do not include the testimony of witnesses. The majority (45 percent) of witnesses in this analysis are drawn from the Cheshire sample; an indication of the more regular and complete survival of this particular series of church court records for the period considered.

The small size of the Star Chamber sample (which accounts for only six percent of the total number of deponents) can be accounted for by the relatively limited scale of participation in the litigation of this court, discouraged by both distance and cost, and also by the sample's more limited chronological scope, that is, from 1603-1625 (Figure 4.1).

Figure 4.1: The Geographical Origins of Deponents in Pew Disputes in Four Jurisdictions, c.1550-1699



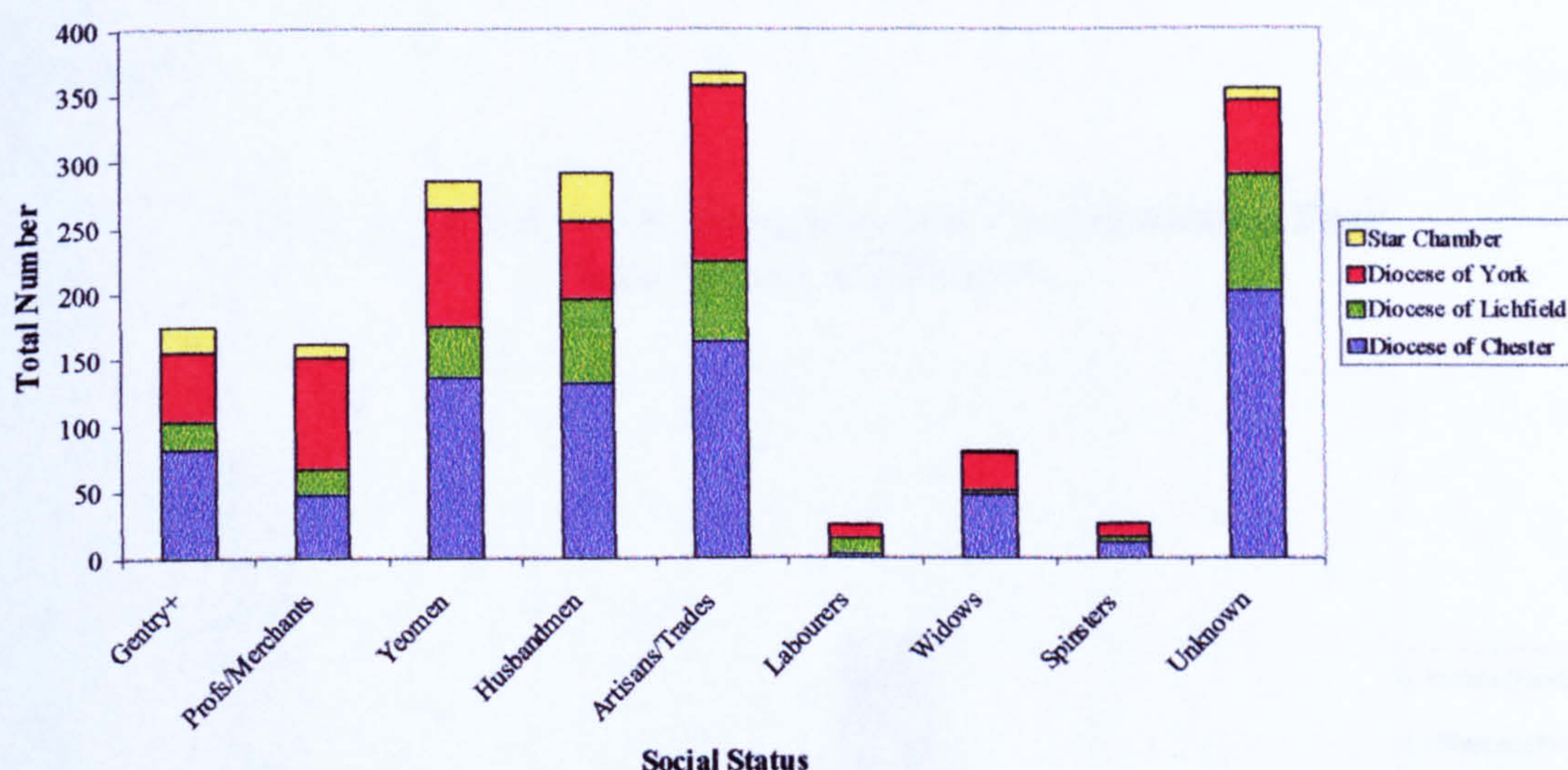
Source: CRO EDC.5, LRO B/C/5, BI Various, PRO STAC 8.

As with the litigants in pew disputes, deponents represented a select sample of the community, defined in part by notions of ‘credit’ and ‘reputation’, and in part by the cost of litigation (Figure 4.2). But just how socially inclusive were the procedures of the church courts? An extensive search of the secondary literature on ecclesiastical justice reveals just how unsystematic historians have been on the whole question of the social status of participation. With the exception of David Cressy and Laura Gowing, studies have confined themselves largely to impressionistic statements.¹ On the basis of the sample systematically analysed here

¹ David Cressy, *Literacy and the Social Order: Reading and Writing in Tudor and Stuart England* (Cambridge, 1980), pp. 104-17; Laura Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern London* (Oxford, 1996), pp. 48-50. Cf. the impressionistic readings in Martin Ingram, ‘Spousals Litigation in the English Ecclesiastical Courts c.1350-c.1640’, in R. B. Outhwaite (ed.),

it seems clear that the poorest members of society, paupers and day labourers, are underrepresented, accounting for a meagre one percent of all deponents. Equally striking is the relative rarity of gentry deponents in pew disputes, especially by comparison with the proportion of *litigants* drawn from these ranks. Only ten percent of this entire sample is drawn from the landed elite. Most deponents (63 percent) were drawn from the 'middling sort' broadly defined, and of those whose status is actually known, the middling sort accounted for 78 percent.

Figure 4.2: The Social Status of Deponents in Pew Disputes in Four Jurisdictions



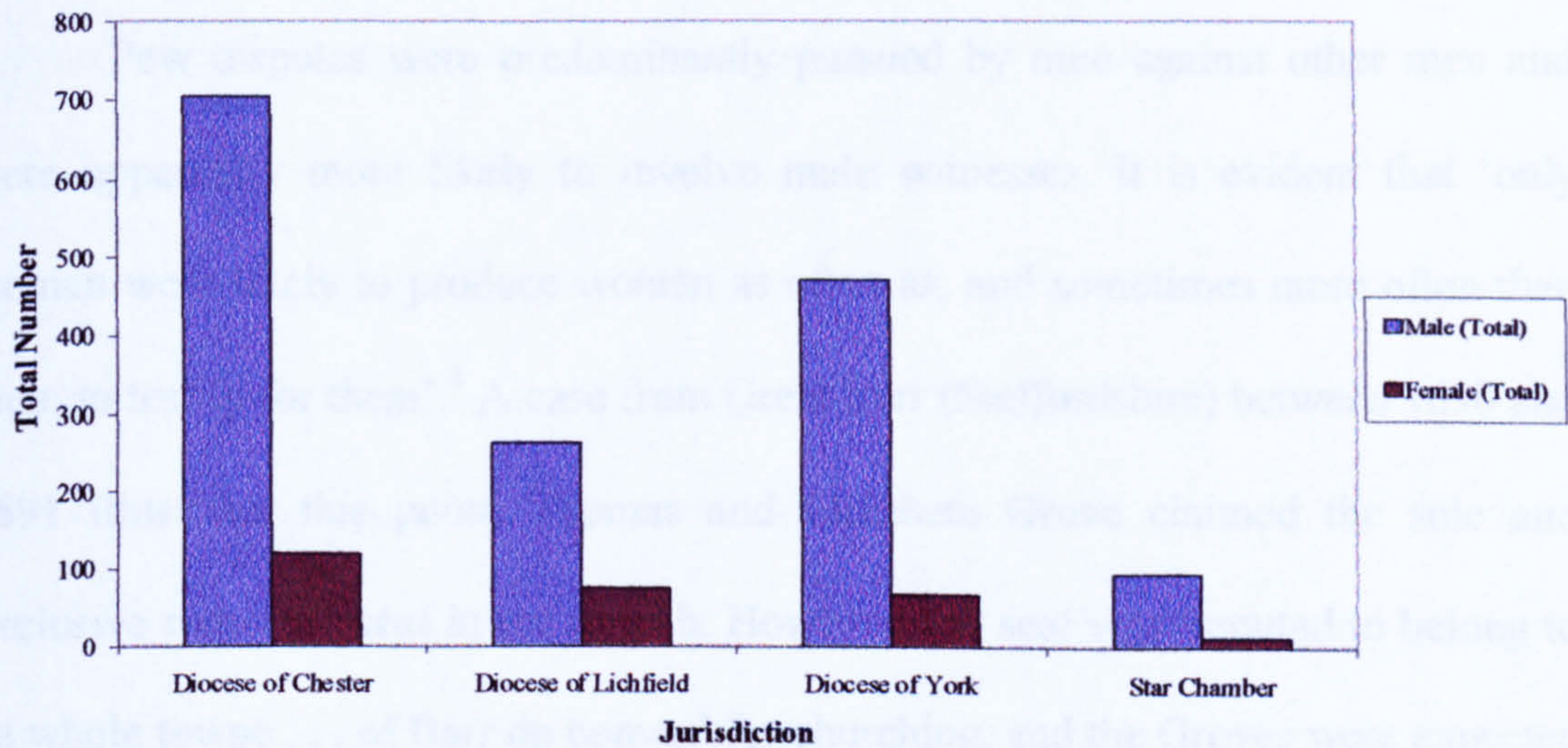
Source: As in Figure 4.1 above.

The categories adopted here are based on the conventional titular categories used by contemporaries. However, as Keith Wrightson has emphasised, such categories were rarely rigorously defined or discrete, and sometimes mask both a considerable degree of overlap *between* adjacent social groups, and differences

Marriage and Society: Studies in the Social History of Marriage (London, 1981), pp. 44-5; Peter Rushton, 'Property, Power and Family Networks: The Problem of Disputed Marriage in Early Modern England', *Journal of Family History*, 11 (1986), pp. 215-16; R. H. Helmholz, *Marriage Litigation in Medieval England* (Cambridge, 1974), pp. 160-1; Ralph Houlbrooke, *Church Courts and the People During the English Reformation, 1520-1570* (Oxford, 1979), p. 75; Ralph Houlbrooke, 'The Making of Marriage in Early Modern England: Evidence from the Records of Matrimonial Contract Litigation', *Journal of Family History*, 10 (1985), pp. 341-2; J. A. Sharpe, *Defamation and Sexual Slander in Early Modern England: The Church Courts at York*, Borthwick Papers, 58 (York, 1980),

within certain ranks, in particular those of ‘crafts and trades’. These categories also conceal the difference in the spatial, geographical and chronological meaning of terms such as ‘yeomen’.² In order to overcome some of these difficulties, the categories analysed here have been supported by the more impressionistic evidence gleaned from the depositions themselves regarding the relative monetary and landed income of the deponents, and by some fragmentary evidence concerning the holding of office. The results are similar to those found by Laura Gowing in marriage and defamation cases in the diocese of London where the poorest members of society were rarely called as witnesses, and the gentry only accounted for six percent of deponents.³

Figure 4.3: The Gender of Deponents in Pew Disputes in Four Jurisdictions, c.1550-1699



Source: As in Figure 4.1 above.

Deponents in pew disputes were also more likely to be male rather than female, and indeed women were even less likely to be called as witnesses in pew

p. 17; Diane O’Hara, *Courtship and Constraint: Rethinking Courtship and the Making of Marriage in early modern England*, (Manchester, 2000).
² Keith Wrightson, ‘The Social Order of Early Modern England: Three Approaches’, in Lloyd Bonfield, R. M. Smith and K. E. Wrightson (eds), *The World We Have Gained: Histories of Population and Social Structure* (Oxford, 1986), pp. 188-90.
³ Gowing, *Domestic Dangers*, pp. 48-9.

litigation than in a number of other cases. Around 43 percent of deponents in defamation cases from the diocese of London were women, and in rural areas the proportion was as low as 25 percent.⁴ In the four jurisdictions considered here, 276 (15 percent) of the whole sample were women, of whom 54 percent were married and 36 percent were widowed (Figure 4.3). Laura Gowing has suggested that the difference in the number of male and female deponents can be directly correlated with the number of women using the courts as plaintiffs. In contrast to defamation cases where women could account for as many as 85 percent of litigants, in pew disputes women accounted for only 14 percent of plaintiffs. Likewise, female witnesses accounted for between 46.5 percent and 60 percent of all deponents in defamation cases in London 1572-1640: a striking difference to the much smaller proportion found in pew cases.

Pew disputes were predominantly pursued by men against other men and were apparently more likely to involve male witnesses. It is evident that 'only women were likely to produce women as often as, and sometimes more often than men, to testify for them'.⁵ A case from Great Barr (Staffordshire) between 1690 and 1691 illustrates this point. Thomas and Elizabeth Grove claimed the sole and exclusive right to a seat in the church. However, the seat was 'reputed to belong to ye whole towne . . . of Barr on comon' for churching, and the Groves were expected to share the seat with women who came to be churched and with the midwife. Of the nine witnesses called in this case, only two were men. In this area of female sociability and power in the church, it was women who were the repositories of

⁴ Gowing, *Domestic Dangers*, p. 49; Cressy, *Literacy and the Social Order*, p. 114.

⁵ Gowing, *Domestic Dangers*, p. 49.

local knowledge and custom, and women who encouraged and summoned other women to testify.⁶

If women played a small, if significant, role in testifying about church seating in this period, young people played an even lesser part. Only 135 (7 percent) of deponents were aged between seventeen and twenty-nine (Figure 4.4). Indeed, Keith Thomas has suggested that the prevailing ideal in early modern England 'was gerontocratic: the young were to serve and the old were to rule' because 'only the mature had judgement, practical wisdom, and self-mastery'. Thomas argued that in practice, therefore, 'it was men in their forties and fifties who ruled'.⁷ It is not, therefore, surprising that 42 percent of the entire sample were aged more than sixty years, and almost two-thirds (62 percent) more than fifty. Ralph Houlbrooke found a similar pattern in witnesses summoned in marriage litigation. Here, only about a quarter of the deponents who were able to describe some form of promise or contract were under thirty, and very few of the contracts described had been witnessed solely by people in their teens and twenties.⁸ These figures, however, stand in sharp contrast to those found by David Cressy. Cressy found that in his jurisdictions the age structure of deponents was similar to that of the adult population at large. In Norwich, fewer than 15 percent of deponents were aged over sixty between 1570 and 1700. Cressy concluded that his sample represented men in their 'prime', or rather, men in their forties and fifties.⁹ There were clearly certain cases heard before the ecclesiastical courts that encouraged the production of witnesses of an older age. Pew disputes, by their very nature, were firmly rooted in

⁶ LRO B/C/5 1690: Great Barr and 1691: Great Barr.

⁷ Keith Thomas, 'Age and authority in early modern England', *Proceedings of the British Academy*, 62 (1976), p. 207, 211.

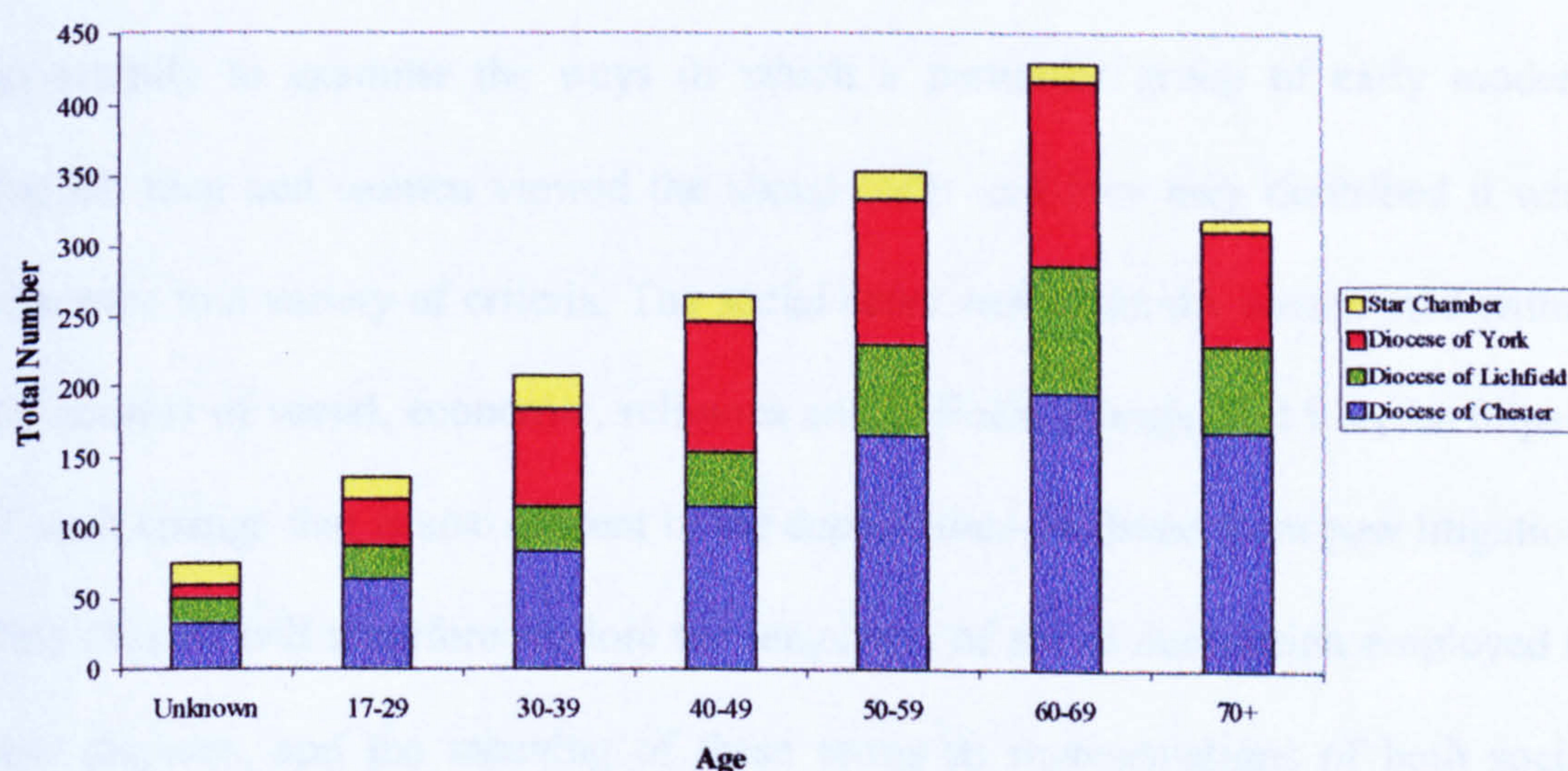
⁸ Houlbrooke, 'The Making of Marriage in Early Modern England', p. 342.

⁹ Cressy, *Literacy and the Social Order*, pp. 116-17.

notions of custom, memory and long usage. As we have seen, the elderly in local communities were the repositories of ancient wisdom and knowledge and thus played a central part in pew litigation.¹⁰

Laura Gowing found that age also affected the credibility of women as witnesses in marriage and defamation causes. Only in the group of witnesses aged less than 25 were more than 50 percent female, whilst around 40 percent of those in the age groups 25-60 were women, and thereafter the proportion of women dropped still further. Gowing further argued that ‘if men, with age, acquired a certain power and status that enabled them to mediate in social disputes, older women were just as likely to be defined as a source of trouble’.¹¹ By contrast, if men largely governed in their forties and fifties, they retained their standing and experience in the community as witnesses until much later in life, as the age distribution of deponents in pew disputes shows.

Figure 4.4: The Age of Deponents in Pew Disputes in Four Jurisdictions, c.1550-1699



Source: As in Figure 4.1 above.

¹⁰ See Chapter 2.

¹¹ Gowing, *Domestic Dangers*, p. 50.

Our discussion here and in chapter two suggests that the social order of early modern England was complex and involved several overlapping and interesting hierarchies of status, wealth, gender and age. These hierarchies were to a certain extent unstable and contested, and historians have gradually become aware of the importance of understanding the way in which contemporaries themselves represented the social order. If seating plans reflected something of the way in which the members of both the secular and spiritual hierarchies of a local community, who controlled the allocation of seats, defined the social order at a particular point in time, then pew disputes marked a challenge to that vision; an alternative reading that demanded a response. The individuals who claimed the right to allocate seats, and those who chose to challenge that order, were instrumental in the creation, definition and articulation of the social hierarchy, and in turn, in the process of social change itself. This was equally true of those they called as witnesses.

The consideration of depositional evidence, therefore, affords us the opportunity to examine the ways in which a particular group of early modern English men and women viewed the social order and how they described it with reference to a variety of criteria. The social order was culturally constructed within the context of social, economic, religious and political change, and it is the impact of such change that is also evident in the depositional evidence from pew litigation. This chapter will therefore explore the languages of social description employed in pew disputes, and the meaning of these terms as representations of both social change and social power. It will also explore the context of these languages, whilst recognising that it was largely men of the middling sort, who were predominantly aged between forty and seventy years of age, who employed them. Finally this

chapter will consider the extent to which various groups within the social hierarchy shared officially held notions.

II

The Languages of Social Description

As we have seen, formal languages of social description were generally characteristic of church seating plans drawn up by churchwardens and other officers. Here, parishioners were allocated seats according to their 'degrees, estates and Condicons', to their 'degree and ranke', and with 'especial regard to their degrees and qualities'.¹² This formal language of estates and degrees was often used by the ecclesiastical hierarchy in their communication with local ecclesiastical hierarchies, and, in particular, with the churchwardens. The formal language of estates and degrees was particularly prevalent in faculties issued for the re-ordering of churches. When a commission was granted to re-order the seats on the south side of the parish church of Ainsty (Hertfordshire) in 1629, for instance, the churchwardens were ordered to place the 'ancient' of the parish according to their 'severall degrees and qualities'.¹³ In 1690 the Archbishop of York ordered the churchwardens of Campsall (Yorkshire, West Riding) to assign seats to some of the parishioners 'sutable to their respective Estates degrees and qualities'.¹⁴ A faculty from Bradford (Yorkshire, West Riding) in 1697 similarly ordered that the inhabitants were to be placed in seats that were 'suitable to their respective estates degrees and qualities'.¹⁵ Indeed, orders issued to the churchwardens concerning the maintenance and upkeep of the

¹² BI REG.32, fol. 94 Ar., 1635: Holmfirth (pa. Kirkburton); DRO PE/PUD CW 5/1; Susan Amussen, *An Ordered Society: Gender and Class in Early Modern England* (Oxford, 1988), p. 138; and see Chapter 2 above.

¹³ LMA DL/C/343.

¹⁴ BI FAC 1690/4: Campsall.

¹⁵ BI FAC 1697/1: Bradford.

church, and the proper placing of parishioners were also couched in this formal vocabulary. Following an order issued by the Bishop of Chester at his Visitation of 1634, a commission was granted for the 'due and orderly seateing and placeing' of the parishioners of Wistaston (Cheshire), according to their 'ranckes and degree'.¹⁶ At Weaverham (Cheshire) in 1665 the Bishop ordered that the inhabitants should be placed according to their 'degree and quality'.¹⁷

As the discussion in the introduction suggested, this conventional hierarchy of 'ranks and degrees' or 'estates and degrees of people' had been repeatedly described by Elizabethan and Stuart writers who sought to anatomise the social order. The works of Sir Thomas Smith, William Harrison, Sir Thomas Wilson and Gregory King distinguished their society as a single hierarchy of status and occupational groups. Although their criteria were different, and their categories varied in number and complexity, they represented a society that was highly stratified and imbued with inequality. This classical social hierarchy was also the language adopted by the ecclesiastical hierarchy to describe the order of parishioners in the spiritual context of the church building. However, this static picture of the social order, rather like pew plans, implied a fixity and consistency in social relations. It also tells us little of how members of the lower and middle ranks of society viewed their social world, or the manner in which they articulated that view.

These formal visions of the social order were powerful and pervasive representations, and doubtless had a profound impact. However, this did not mean that they excluded any alternative definitions, and it is these definitions that recent historiography has found so absorbing. Indeed, pew disputes are particularly

¹⁶ CRO EDC. 5 (1635), 51: Wistaston.

revealing in this respect. There are numerous pew disputes where the hierarchy of rank and degree were explicitly modified by reference to other criteria. In 1631 a commission granted to place the parishioners of Stockport (Cheshire) agreed that seats should be allocated 'according to their ranckes and degrees, and especially according to their abilities . . . and contribucions to the . . . church'.¹⁸ In 1665 Richard Wilcox deposed that a commission of 1635 had placed the parishioners of Weaverham according to their rank and degree. However, Raphe Dutton alleged that the parishioners had been placed according to their rates, rents and the value of their property in the parish. The criteria for judging 'status' was complex, and made up of a number of factors including wealth, landholding, office holding, length of settled residence, age and gender. The languages used to express this broader range of differential criteria were more varied, resonant and flexible than traditional concerns, and thus more adaptable to particular contexts.¹⁹ When the 'drought or Mapp' of the seats in St. Oswald, Chester (Cheshire) was 'vewed' in 1624, it was discovered that 'divers parishioners of meaner sorte' who received poor relief 'did houlde such seats as were fitter for parishioners of better Rancke'. The seats were swiftly re-allocated.²⁰

This language of 'sorts' tended to suggest a dichotomous perception of society in which the 'meaner' the 'poorer' or 'inferior' were juxtaposed with the 'better', representing the impact of economic and cultural differentiation. Thus Samuel Backhouse of Swallowfield (Wiltshire) alleged that he shared his pew with

¹⁷ CRO EDC.5 (1665), 19: Weaverham.

¹⁸ CRO EDC.5 (1631), 5: Stockport.

¹⁹ Keith Wrightson, "'Sorts of People" in Tudor and Stuart England', in Jonathan Barry and Christopher Brooks (eds), *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (London, 1994), p. 34.

²⁰ CRO EDC.5 (1630), 1: Chester, St. Oswald.

some of the ‘better sort’ of the parish in 1619.²¹ In uppermost seats in the chancel of the collegiate church in Tamworth (Staffordshire) in 1615 the ‘beste sorte of men . . . doe use to place themselves accordinge to their severall degrees and callings and others of meaner estate . . . doe use to place themselves in the Lower Seates’.²² In practice this language could also explicitly describe the pattern of subordination in the context of the church. When Stephen Gee attempted to claim the right to a seat in the gallery at Manchester (Lancashire) in 1639 that belonged to Lady Anne Mosely, he was reminded firmly of his place. Mosely was the widow of Oswald Mosely, a former Justice of the Peace, who had been a ‘man of good respect’ in the parish. As one of the ‘Primary men’ of the parish Oswald Mosely had been assigned an ‘eminent seat’ in the gallery for the use of his servants. Lady Mosely may have been in a vulnerable position in her widowhood, but she was quick to remind Gee of her superior position. She described Gee as a ‘meane man and a poore householder’ who ‘like many of his rancke have not any particular place or seate appointed for him’.²³ After the churchwardens of Wistow (Yorkshire, West Riding) had altered the seats in the church in 1640, they were concerned to find that ‘people of inferior Rancke sitt in the cheifest seates in the Church without respect or givinge place to their superiors.’²⁴ The ‘parishioners’ of the ‘large and populous’ parish of Ormskirk (Lancashire) had gone so far as to devise a scheme whereby they placed themselves as near to their burial places as was possible, ‘the meaner alwaies giving place to those of better qualitie’.²⁵ Thomas Ellis was indignant when Sir William Hall placed his ‘boy’ next to him in Kennington church (Kent) in 1610 because ‘only gentlemen,

²¹ PRO STAC 8/24/2.

²² PRO STAC 8/111/12.

²³ CRO EDC.5 (1639), 4: Manchester.

²⁴ BI FAC/1640/2: Wistow.

²⁵ CRO EDC.5 (1672), 29: Ormskirk.

and those of the better sort' had ever been known to sit in the choir.²⁶ This discriminating idiom, discovered in the immediacy of experience, was an indicator of the intensification of a process of social stratification that originated with the very groups who were involved in the allocation of seats.²⁷ The introduction of a pejorative element into the language of 'sorts', that is, contrasting the 'better' not just with the 'poor', but the 'meaner' and 'inferiour', expressed the distinctions between a favoured group and those who had been excluded from it. It became a language of *dissociation* as well as one of differentiation.²⁸

As we have seen, social and economic change in the early modern period was gradual. Population growth and inflation were two powerful forces for change, but their impact was neither geographically nor chronologically uniform. Different rates of population growth were reflected in differing economic contexts.²⁹ The process of population growth was recognised most keenly at the local level in the context of the parish church, where the complexity of trying to accommodate both increasing numbers of native parishioners and a larger proportion of immigrants made these processes all too visible to contemporaries.

Some deponents in pew cases simply recognised that their parishes were 'populous'. In Stockport (Cheshire) in 1631, there were only enough pews in the church for one person from each family to sit on, 'by reason of the moultitude of the inhabitants and want of room'.³⁰ Humphrey Cook complained in 1693 that the town of Birmingham (Warwickshire) was 'very populous and many of the parishioners

²⁶ PRO STAC 8/129/17.

²⁷ See Chapter 2 above.

²⁸ Wrightson, "“Sorts of People”", p. 38.

²⁹ See Chapter 1 above.

³⁰ CRO EDC.5 (1631), 5: Stockport.

want seats'.³¹ Likewise, a gallery was built at Manchester in 1636 in order that the church might be 'better provided of seates' as it was a 'populous parish'.³² Other contemporaries recognised that these increases marked a process of change in their local community. James Hill of Littleborough (Lancashire) recognised in 1629 that the middle aisle of his parish church was no longer 'bigge enoughe to containe all that usually resorted' to it 'fitely or conveniently'. Significantly, he noted that this problem had only occurred in the previous seven years.³³ In 1680, Liverpool chapel (Lancashire) had been described as 'incapable of the growing numbers' of people in the parish. Contemporaries recognised that the borough was 'yearly increasing in Trade' and inhabitants.³⁴

This recognition was particularly evident in urban contexts, and particularly in the city of London. This chimes with the gradual geographical redistribution of the population, and the drift towards the towns in search of work. Urban growth was a distinctive feature of this period, the most remarkable being found in the city of London on itself, which grew from 55,000 inhabitants in 1520, to 475,000 in 1670.³⁵ The parishioners of St. Swithen's (London) could no longer fit in the seats in the church in 1610 as the parish was 'much increased'.³⁶ A gallery was erected at Stepney (Middlesex) in 1635 due to the 'multitudes of inhabitants and their

³¹ LRO B/C/5 1693: Birmingham.

³² CRO EDC.5 (1636), 48: Manchester.

³³ CRO EDC.5 (1629), 7: Littleborough.

³⁴ CRO EDC.5 (1692), 13: Liverpool.

³⁵ For London see, E. A. Wrigley, 'A Simple Model of London's Importance in Changing English Society and Economy 1650-1750', reprinted in Wrigley, *People, Cities and Wealth: The Transformation of Traditional Society* (Oxford, 1987), pp. 133-56; and Roger Finlay and Beatrice Sheaver, 'Population Growth and Suburban Expansion', in A. L. Beier and Roger Finlay (eds), *The Making of the Metropolis: London, 1500-1700* (1986), p. 45. For other towns see, John Patten, *English Towns, 1500-1700* (Folkestone, 1979), pp. 111-13; and Penelope Corfield, 'Urban Development in England and Wales in the Sixteenth and Seventeenth Centuries', in D. C. Coleman and A. H. John (eds), *Trade, Government and Economy in Pre-Industrial England* (London, 1976), pp. 217, 223.

³⁶ LMA DL/C/339: St. Swithen's (London), 23 May 1610.

continual increase'.³⁷ Faculties for extensions and galleries to provide places for parishioners to build more seats were also granted to St. Botolph without Aldgate (London) in 1635, to St. Katherine's Chapel, Watford (Hertfordshire) in 1635 and at Chelsea (Middlesex) in 1675.³⁸ However, the effects of population mobility and population growth were also felt in rural areas. In Lithey, a hamlet in the parish of Great Waltham (Essex), two gentlemen recognised in 1619 that in the previous twenty years the hamlet had grown so much and 'is so peopled with inhabitants . . . as that there have not byn seates sufficient and convenient built up in the parishe Church'.³⁹

Contemporaries also attempted to describe and explain why specific social groups were increasing in their particular context. In Liverpool chapel in 1680, where contemporaries recognised the increase in the number of traders in the town, the identification of certain groups was rooted in the local economic and social context, and was specifically linked to the concerns of those who had to place them. The parish of Cheshunt (Hertfordshire) was described in June 1638 as a very 'populous' parish that consisted of 'persons of the best ranke and quality and is much increased in Gentry'. The churchwardens petitioned for a faculty to set up new pews 'soe there be noe confusion or disorder in soe doing but that everie be placed according to his ranke and quality and none be unprovided of seates when persons more unworthy placed'. The churchwardens were concerned that the seating order showed particular regard for the upper ranks of local society.⁴⁰ The churchwardens of St. Giles-in-the-Fields (Middlesex) petitioned the vicar-general in 1670 to erect a

³⁷ LMA DL/C/343: St. Botolph without Aldgate (London), 27 January 1635; LMA DL/C/343: St. Katherine's Chapel, Watford (Hertfordshire), 1635; LMA DL/C/343: Stepney (Middlesex), 1 April 1635.

³⁸ LMA DL/C/345: Chelsea (Middlesex), 14 September 1675.

³⁹ LMA DL/C/341: Lithey, Much Waltham (Essex), 18 February 1619.

gallery. They claimed that the gallery would assist in providing a better atmosphere for worship, in particular through the ordering of the poor who they described as ‘very numerous’.⁴¹

Demographic growth had a profound impact at the local and national level. In a variety of ‘types’ of communities demographic and economic forces were widening the gap between the few, the parish elites of wealthy yeomen and clothiers, and the many, the small landholders and the landless poor. It was a polarising process that had been long underway and its results were most keenly felt in arable areas which experienced partial enclosure or in less stable, cloth-making pasturelands experiencing an influx of landless poor.⁴² At the heart of the issues discussed here is the notion of belonging, and the recognition of one’s place in the local community. Keith Wrightson has argued that one of the key processes by which notions of hierarchy and order were maintained during this period of geographic mobility and economic change was through inclusion and exclusion. As the physical and symbolic heart of the parish, the church itself often became the focus of these processes of selection. The ‘core’ in every neighbourhood was made up of those who had long resided in the parish. That contemporaries understood the importance of settled residence, even in an age of geographical mobility, is attested to by the fact that faculties and depositions alike are frequently couched in a language of belonging.

Those who petitioned for faculties set out to show that they and their families not only owned a house in the parish but ‘continually resided’ there and regularly attended the parish church. Three gentlemen of St. Mary’s church, Stroud

⁴⁰ LMA DL/C/344: Cheshunt (Hertfordshire), 20 June 1638.

⁴¹ LMA DL/C/345: St. Giles-in-the-Fields (Middlesex), 18 May 1667.

⁴² See Chapter 1 above.

(Middlesex) were not only parishioners, but had also 'kept house' for 'divers years', and were therefore placed in the uppermost seat on the east side of the church in 1617.⁴³ Sir Henry Kowe of Hackney (Middlesex) was allowed to build a pew in one of the uppermost places in the church in 1620 because he was an 'anncient parishioner', a settled and long-established resident of the parish.⁴⁴ Likewise, the ecclesiastical authorities stressed that a faculty stood so long as an individual remained an inhabitant of the parish in question. The Archbishop of York ordered in 1634 that 'none inhabiting without' the parish of Nantwich (Cheshire) 'should have any pewe or seate within the . . . Church'.⁴⁵ Churchwardens were often customarily allowed to fill the seats of individuals who had left the parish, for whatever reason, as at St. Peter's, Chester in 1668 and at St. Chad, Shrewsbury in 1637.⁴⁶ It was not, however, only the ecclesiastical hierarchies that upheld these criteria.

John Bradley, a gentleman from Staple Inn (Middlesex) claimed a seat at Church Stoke church (Montgomeryshire) in 1612 by right of his property in the parish. However, he faced the hostility of a group of local men because he and his family were 'but new comers into the . . . parish'.⁴⁷ James Ashley, the defendant in a suit from Bunbury (Cheshire) in 1634, was considered unsuitable for the pew in controversy as he 'was and is a stranger in the . . . parish'.⁴⁸ Robert Mellor of Wirksworth (Derbyshire) attended church in the neighbouring parish of Kirk Ireton, which was within a mile of his family home. He alleged that the three mile journey to his own parish church was 'very fowle and dangerous' during the winter months. For the previous twenty years Mellor had attended Kirk Ireton church, but in 1696

⁴³ LMA DL/C/341: St. Mary, Stroud (Middlesex), April 1617.

⁴⁴ LMA DL/C/341: Hackney (Middlesex), 20 October 1620.

⁴⁵ CRO EDC.5 (1634), 83: Middlewich.

⁴⁶ CRO EDC.5 (1668), 18: Chester, St. Peter; LRO B/C/5 1637: Shrewsbury, St. Chad.

⁴⁷ PRO STAC 8/64/12.

some of the parishioners fought against his right to hold a pew there, for in their opinion it was 'unreasonable that those who had nothing within the parish nor paid any Leones that they should have the privilege of parishoners'.⁴⁹ Parishioners who sought to define the hierarchy of belonging in their parish emphasised the hierarchy of long residence to the exclusion of others. Thus an alderman of Congleton (Cheshire), John Smith, alleged in 1611 that 'time paste memorie of man' the inhabitants had held the right to 'debare all others nott Inhabitinge' in the town from 'treading' on the ground of the church.⁵⁰

It is evident from these examples that economic change and geographical mobility were explicitly recognised at the local level. Likewise, the growing economic differentiation in local communities was also becoming visible to contemporaries, and it is this aspect of social change that is most prominently reflected in church seating disputes. Indeed, the real significance of disputes over pew placements is that they are one of the few ways in which economic differentiation and social change is not only rendered visible to the historian, but also became evident to contemporaries. Pew disputes, by their very nature, constrained litigants and deponents alike into making judgements about the status of an individual, often in relation to others in the local community. If, as we have seen, pew disputes were largely fought between those of the same, or similar rank, then their finely graded differences can tell us much about the compound nature of social status in early modern English parishes.

The depositions made by witnesses suggest that the most common means of identifying person's worth in relation to their position in church was *economic*

⁴⁸ CRO EDC.5 (1634), 144: Bunbury.

⁴⁹ LRO B/C/5 1696: Kirk Ireton.

⁵⁰ CRO EDC.5 (1611), 13: Congleton.

wealth.⁵¹ This wealth was measured by a variety of methods, including landholding; the value of one's property or estate; and assessments towards a variety of taxes and rates. Robert Wyld, the defendant in the case from Rotherham (Yorkshire, West Riding) in 1665, allegedly paid his taxes and had a 'good' and 'plentiful estate'.⁵² John Kettle, the plaintiff from a suit in Bunbury (Cheshire) in 1620, was described as the 'Cheefest' of Buwardsley, whilst the defendant, Richard Bird, had allegedly only owned 'cottages' and not 'plough lands' in the parish. As such, Bird's inheritance was described as 'farre inferiour' to Kettle's, and 'not comparable'.⁵³ At Tilston (Cheshire) in 1623 the defendant, Andrew Prestand, when compared to the plaintiff Hugh Lea, was found to hold land in the parish of 'farre larger extent and greater yearely value'.⁵⁴ Comparisons of this sort were very common in depositional evidence. In a dispute from Coley (Yorkshire, North Riding) in 1685, George Boyle alleged that the family of Richard Best had been considered 'persons of a better rank and fashion then the family of the Appleyards'. Jennotta Lea expounded upon this distinction between the two families by deposing that the Bests were 'alwayes accounted a better family then the Appleyards and richer'.⁵⁵ In a dispute from Guilden Sutton (Cheshire) in 1639, the interrogatories enquired whether it was 'consonant to the rule of decensie and good order' that John Dutton, a man who had 'imployed himselfe in husbandry labour, and in the Condicion of a husbandman' and lives upon a 'rackrent' should sit in a prime and chief seat in the church, whilst George Snell, the rector, and his wife should sit in a 'farr inferior' place, 'their

⁵¹ For a discussion on the importance of wealth in the self description of the 'chief inhabitants' in the localities see H. R. French, 'Social Status, Localism and the "Middle Sort of People" in England, 1620-1750', *Past and Present*, 166 (February, 2000), pp. 75-82.

⁵² BI CP.H 5052 c.1665: Rotherham.

⁵³ CRO EDC.5 (1620), 24: Bunbury.

⁵⁴ CRO EDC.5 (1623), 36: Tilston.

⁵⁵ CP.H 3648 1685: Coley.

Rancks and qualities considered’?⁵⁶ Likewise, the interrogatories from a dispute at Stanton in 1612 explicitly encouraged a comparison between the plaintiff, Mary Hampton, and the defendant, Robert Kilvert. They suggested that Kilvert was ‘a gent and hath lande tenementes and hereditamentes’ in the parish worth 200 Marks, whilst Hampton^{husband} was merely a ‘cotager’ and a man ‘farr inferiour’ to Kilvert ‘both in . . . Credit and Estate’. Robert Felton confirmed this distinction and argued that there was a ‘greate difference betwixte the estates of both men’.⁵⁷ John Clark, a gentleman from Heanor (Derbyshire), was described in 1620 as a man of ‘greate . . . possessions’, valued at between £100 and £400, and he allegedly held ‘farre greater’ lands than one of his principal adversaries, John Thwaites.⁵⁸

The value attached to a person’s real estate was expected to be reflected in their personal estate and wealth, and could be measured by their payment towards church rates, taxes, and as the seventeenth century progressed, their contribution to, rather than their reliance upon, the poor rate. When Thomas Harrington of Dullingham (Cambridgeshire) was presented in 1609 for ‘refusing to be ordered for his seate in the churche’, he justified his disobedience because he was ‘nott sett with men of his callinge, abilitie and welthe, but . . . amonge them which receyve Allymes of him’. Harrington contended that he ought to be placed with ‘men of his rancke and condition that’, like himself, ‘doe pay scotte and lotte’.⁵⁹ When a commission was granted to place the parishioners of Scarborough (Yorkshire, North Riding) in 1685 ‘according to their respective Estates qualitys and Degrees’, it was alleged that the plaintiff, John Casse, was of ‘good estate’ and contributed

⁵⁶ CRO EDC.5 (1639), 21: Guilden Sutton.

⁵⁷ LRO B/C/5 1612: Stanton.

⁵⁸ LRO B/C/5 1620: Heanor.

⁵⁹ Cambridge University Library EDR B/2/28, f. 53v-54v.

considerably to the upkeep of the church.⁶⁰ In 1615, William Roupe alleged that he was ‘more highlie rated and charged than anie other’ in the parish of East Allington (Devon) towards the poor rate and for church repairs.⁶¹ Daniel Sefton was permitted to build a gallery in Upholland church (Lancashire) in 1696 as he had ‘considerable Reall Estate’ in the township and paid towards the minister’s maintenance.⁶² Likewise, one of the criteria considered when Sir Samuel Daniel requested permission to build a seat in Knutsford church (Cheshire) in 1697 was that he was ‘kind or generous to ye Minister’.⁶³

Although relative wealth was clearly one important determinant of social status, it was not, however, a sufficient condition of social standing. Even towards the close of our period other criteria of social estimation, in particular honour and lineage, retained considerable influence. Numerous cases testify to the importance still attached to rank and lineage in a changing social world. The enduring influence of honour is apparent in a dispute from Bowes (Yorkshire, North Riding) in 1673. Dorothy Laidman described the defendant, Christopher Hanby, as a ‘gentleman’. Hanby’s great grandfather had allegedly fought in ‘battells against the Scotts’ and had held the ‘best’ estate in the town in his time. Hanby’s father had been maintained ‘gentily’ at Cambridge by William Bowes, ‘the most eminent and cheife man’ of Bowes. It was further alleged that the Hanby family had since gained the respect of the local gentry, and that Christopher Bowes was often called to be a commissioner of the peace. Hanby was thus able to claim that he had always been reputed and ‘stiled’ a gentleman, and therefore ought to hold one of the ‘principall

⁶⁰ BI CP.H 5738 post-1665: Scarborough.

⁶¹ PRO STAC 8/254/26.

⁶² CRO EDC.5 (1696), 6: Upholland.

⁶³ CRO EDC.5 (1697), 8: Knutsford.

pewes' in the church.⁶⁴ Thomas Chappell of Sheffield (Yorkshire, West Riding) sought a seat in the 'Yeomans Clossett', an enclosed set of pews used exclusively by the 'better sort' of parishioners, in 1696. In support of his claim Abiel Rollinson deposed that Chappell was of 'very good ranke and Quality of a very good family'. In addition to this his estate in the parish was valued at around £100, and it was inferred that he held considerable lands outside of the parish.⁶⁵ Mary Wilson of Fillongley (Warwickshire) had allegedly been given permission to sit in a seat belonging to the wife of William Pinfold, a yeoman, in 1617, as she was a 'gentlewoman born'. The depositions suggest that although Wilson had married a man of lower social status than her, she claimed certain rights on the basis of her birth rather than her present status.⁶⁶

Sometimes the differences between the ranks of the parties involved in suits were barely discernible. A deponent from Whitchurch (Shropshire) alleged in 1602 that there was a 'small difference in birthe or estate' between the plaintiff, Alan Meyricke, and the defendant, Margery Cowper. Another witness testified that there was 'noe greate inequalitie' between the parties, but that Hugh and Margery Cowper were 'better discended and more ancient'.⁶⁷ Other witnesses and litigants adopted a language of 'sorts' and the idiom 'chief' to identify social difference. The predecessors of Alice Townley, a widow of Colne (Cheshire), were described in 1631 as the 'prime and cheefe men' of the chapelry. However, the defendant, Simon Blakey believed that although the Townleys were 'of the better sorte of the parishoners', they were 'not the prime or Chiefe men thereof'.⁶⁸

⁶⁴ BI CP.H 4590 1673: Bowes.

⁶⁵ BI CP.H 4386 1696: Sheffield.

⁶⁶ LRO B/C/5: 1617 Fillongley.

⁶⁷ LRO B/C/5 1602: Whitchurch.

⁶⁸ CRO EDC.5 (1631), 2: Colne.

Eminence was also widely sought through the exercise of political power through the holding of county or parish office. Francis Rawson alleged in 1686 that she knew of several town clerks and stewards who lived outside the parish of St. Mary, Nottingham (Nottinghamshire) and held seats in their own parish churches. However, on certain festival days the Mayor and aldermen of the town went 'in their Scarlet Robes to St. Maries Church and ye Towne Clerk Towne Steward and Coroners are then obliged to attend them thither'. On particular days of the year these men were entitled to sit on the pew of another prominent man 'as belonging such their offices and places'.⁶⁹ The 'best' seats in Congleton church (Cheshire) had allegedly been reserved for the 'chief officē's' in the town in 1611, which were 'men of good liveinge there'.⁷⁰ Sir Samuel Daniel of Knutsford (Cheshire) was described in 1697 as of an 'ancient worthy family'. His 'estate and Quality' was also based upon his role as Lieutenant Colonel of the militia, a position that was described as an 'honourable station'.⁷¹ In 1618, the church of St. Anne, Blackfriars (London) was re-ordered. The seat belonging to Gideon Delanne was granted to Sir Henry Spiller. In recognition of the fact that Delanne had 'borne sundry offices and byn twice Churchwarden in the space of eight years', he was offered the next pew down in recompense for his loss.⁷² When placing the parishioners of Liverpool in a new gallery in 1687, the Mayor and aldermen placed John Choley in a prominent position, 'well weighing and considering the Quality of, and station . . . Choley was in, in the . . . Corporation, and the Charge and Expence hee had voluntarily bin att, in the Erection' of the gallery. Choley's office and wealth clearly had a bearing on his worth and standing in the eyes of his fellow officers. When David Poole tried to

⁶⁹ BI CP.H 3671 1686: Nottingham, St. Mary.

⁷⁰ CRO EDC.5 (1611), 13: Congleton.

⁷¹ CRO EDC.5 (1697), 8: Knutsford.

challenge Choley's place, he was described as 'butt a private person in the said Corporation'.⁷³ The holding of *public* office when combined with private wealth allowed a person an equally public recognition of that status through the ownership of one of the most prominent pews in the church.

For others, status was derived from *occupation*. John Ball of Neston (Cheshire) was considered for a seat in the church in 1684 on the basis that he owned a 'considerable Inn in the town'.⁷⁴ Ralph Bailey of Bath (Somerset) claimed in 1624 that he was a gentleman by birth, but that he derived his reputation from his profession as a Dr. of Physic.⁷⁵ Gregory Turner of Hanley (Cheshire) recognised in 1616 that he should never make 'comparisons' between himself and George Calverley, a Knight of the realm. However, he acquired his sense of worth from his occupation as an 'antient preacher of Gode[s] worde' and he insisted that he 'beareth like office in the Commonwealth as . . . George Calverley doth'. In this sense, he believed that all officeholders had a shared responsibility and authority, and therefore that his 'ministeriall function in the Churche is not to be neglected or despised'.⁷⁶

As we have seen, wealth, rank, office holding and occupation all loomed large in contemporary accounts of social status and they were linked to the less clearly defined concepts of 'reputation' and 'credit'. A 'commodious seat . . . fit for persons of Distinction' in Halifax church (Yorkshire, West Riding) was hotly disputed by John Caygill and Samuel Ramsden. Caygill's family allegedly held 'very Considerable Estates' in the parish, 'much superior' to the Ramsdens'. They

⁷² LMA DL/C/341: St. Anne, Blackfriars (London), 24 October 1618.

⁷³ CRO EDC.5 (1687), 1: Liverpool.

⁷⁴ CRO EDC.5 (1684), 4: Neston.

⁷⁵ PRO STAC 8/54/11.

⁷⁶ CRO EDC.5 (1616), 49: Hanley.

were also described as people of ‘credit and distinction’ who thus deserved to sit in the disputed pew.⁷⁷ At Wrenbury (Cheshire) in 1636, Thomas Bebington deposed that the defendant, William Taylor, was of ‘better estate and esteemeinge’ than the plaintiff William Cudworth.⁷⁸ Likewise, in Nantwich (Cheshire) in 1661 John Minshall was assigned a seat in the gallery because of his ‘eminency in the . . . parish’.⁷⁹ Thomas Allen, the plaintiff in a case from Wellington (Shropshire) in 1597, was described as a ‘verie honest man and hath the better lyving in the parish’. He was therefore considered to be ‘more worthie’ of the disputed seat than the defendant, Thomas Eyton.⁸⁰

A pew dispute from Worth in 1604 further illustrates the significance of credit and reputation in the decisions over placement in the church. John Byshe, a local gentleman, felt that he was ‘esteemed a man as well able to live’ as Thomas Ersfield, a sentiment that retained its strength even after Ersfield’s knighthood. However, the pleadings infer that Byshe was a ‘troublesome and unruly neighbour’ who had been ‘indicted and found guilty of Common barratry.’ Byshe was also accused of being ‘at bowls’ during service time, drawing others, ‘especially of the youths’, from church. Ersfield, on the other hand, had executed the office of High Sheriff ‘worthily and with great credit’, and was ‘adorned and graced with the Consanguinity and alliance of many and diverse families of great worship’. Ersfield was also reputed for his hospitality, good household management, and keeping his lands without ‘debt and decay’. Byshe could not have been perceived more differently. In spite of his estates Byshe apparently carried himself as one of ‘mean wealth’. Indeed, as a number of witnesses testified, there was ‘no comparison’

⁷⁷ BI CP.H 5800 17c.: Halifax.

⁷⁸ CRO EDC.5 (1636), 21: Wrenbury.

⁷⁹ CRO EDC.5 (1661), 11: Nantwich.

between the worth and credit of these men, 'the plaintiff [Ersfield] did by so many degrees exceed the said John'.⁸¹

Individuals attempted to represent their 'status' and 'worth' not only through their possession of a seat, but also in their physical appearance, stature and deportment as they occupied that seat. Mistress Byshe of Worth (Sussex) went so far as to 'put on a chamlett gown girded with velvet being that she was to be promoted to be set with Mistress Ersfield'. Byshe, therefore, did not take her new position for granted, but reflected it in her outward appearance.⁸² Nicholas Taylor of Wakefield (Yorkshire, West Riding) deposed in 1629 that it was a 'usuall thinge for most mens servants to stand at their stall doors', enabling parishioners to represent their status and wealth through the size of their retinue and the obedience and loyalty of their servants.⁸³ Individuals and families might therefore use a variety of methods of presenting themselves in a particular social role.

Contemporaries also emphasised the significance of other hierarchies, in particular those of age and gender, during pew disputes. It is evident that the criteria by which parishioners were placed took careful account of their position in the life cycle. Pew plans suggest that parishioners might expect to move closer to the pulpit, as they grew older.⁸⁴ Depositional evidence confirms this trend. In c. 1667, Dorothy Armitage claimed that she had been granted a place in Warmfield church (Yorkshire, West Riding), as it was 'very nighe unto the Ministers readeing place and the pulpitt'. This position was particularly 'convenient . . . she being a very

⁸⁰ LRO B/C/5 1597: Wellington.

⁸¹ PRO STAC 8/136/17.

⁸² PRO STAC 8/136/17. See also N.B. Harte, 'State Control of Dress and Social Change in Pre-Industrial England', in D. C. Coleman and A. H. John (eds), *Trade Government and Economy in Pre-Industrial England* (London, 1976), pp.132-65; Penelope J. Corfield, 'Dress for Deference and Dissent: Hats and the Decline of Hat Honour', *Costume*, 23 (1989), 64-79; Adrian Davies, *The Quakers in English Society, 1655-1725* (Oxford, 2000), pp. 43-63 ('Body Language').

⁸³ BI CP.H 1817: Wakefield.

ancient woeman and not quick of hearinge'.⁸⁵ In 1608, Elizabeth Clark alleged that she had 'suffred' Margaret Smarte to sit with her in the uppermost pew in Austrey (Warwickshire) as she was an 'anncyent grave woman'.⁸⁶ In a dispute between John and Edward Keate in Eastlocking (Middlesex) in 1611, Edward Keate's son allegedly gave his place in a pew in the chancel to John Keate 'and removed to the furthest parte of the seate' as he recognised that 'he was his elder'.⁸⁷ In 1617, Leon Harrison, the curate at Priors Marston (Warwickshire), described the protocol regarding the four seats in the uppermost pew in the church. He alleged that the four owners of the seat had initially been placed in the pew according to his 'degree and Callinge'. However, since that time, the tradition had become such that as 'the oldest man dieth the next in age to him taketh his place in ye uppermost roome in ye seate'.⁸⁸ There was not only a hierarchy of status in this context, but also a hierarchy of age.

A deposition by a worldly Oxford cordwainer to the archdeacon's court at Oxford in 1617 serves to highlight the importance of gender in the decisions over placement in church. He alleged that 'he has heretofore lived in many several counties and towns . . . and he never knew but that the custom in all the said churches was always for men to sit by themselves apart from the women, and the women likewise by themselves'.⁸⁹ However, the hierarchy of gender was often overlaid with the hierarchy of age. Thus in 1665 John Wilkinson and other deponents alleged that it was a custom in Barthomley church (Cheshire) for 'maryed wives and housekeepers' to sit above young and unmarried women. Furthermore,

⁸⁴ See Chapter 2 above and Chapter 7 below.

⁸⁵ BI CP.H 5548 c.1667: Warmfield.

⁸⁶ LRO B/C/5 1608: Austrey.

⁸⁷ PRO STAC 8/193/16.

⁸⁸ LRO B/C/5 1617: Priors Marston.

Wilkinson alleged that Alice Butterson, an 'old grand woman' sat in the highest place in the pew in controversy.⁹⁰ Likewise, in a pew dispute at Holy Trinity, Kingston-upon-Hull (Yorkshire, East Riding) in 1664, Isabella Sugden alleged that the churchwardens placed married women according to their ranks and qualities, and placed young women elsewhere in the church. Sugden claimed that one of the disputants, Murill Weeton, was only a 'younge woman' who still lived with her father and was therefore in no position to claim the disputed seat.⁹¹ When Margaret Baker attempted to claim the right to a seat in Liverpool chapel in 1693, Robert Seacom, an alderman, described her as a 'young single person' who had a 'small estate'. Seacom concluded that Baker was 'not of a condicion or circumstance so considerable as to pretend to such a seat' thereby underlining her lowly position on the basis of her age, her marital status and her gender.⁹²

However, our appreciation of the boundaries of social status is likely to be as fuzzy and unclear as it was for contemporaries. The distinctions between the statuses of the parties involved in pew disputes could, at times, be difficult to distinguish, precisely because they were of a compound nature. In a pew dispute from Skipton (Yorkshire, West Riding) in 1675, Timothy Banckes alleged that the defendant, Mary Collings, had never owned a house or lands in the parish. He further alleged that Collings had never been assessed for the church rate although he conceded that her landlord had contributed on her behalf. In Banckes' estimation, Collings was not of as 'good estate' as the plaintiff, Robert Lund. Lund was a grocer by trade and he owned one of the 'best' shops in Skipton. Nevertheless, Banckes' felt constrained to add the caveat that Collings was a 'very charitable good woman

⁸⁹ Dillow, 'Church-Seating Arrangements', p. 131.

⁹⁰ CRO EDC.5 (1665), 21: Barthomley.

⁹¹ BI CP.H 2655 1664: Kingston-upon-Hull, Holy Trinity.

and of very good quality'. Another deponent, Samuel Mitchell, expounded upon Banckes' description by describing how Collings had given 'much reliefe to the poore' by distributing bread amongst them. Mitchell further testified that Lund's credentials were not all they seemed and that he held his property in the parish by right of his wife! Mitchell portrayed Collings as a woman that was reputed to be a 'gentlewoman', and Lund as a 'very sufficient tradesman': they were of similar credit and reputation, albeit measured by different criteria. In Mitchell's opinion, the parties could and should share the seat in controversy if only 'they could agree amongst themselves'.⁹³ Keith Wrightson has argued that certain status and occupational groups 'can be said to have formed "clusters" or "constellations" in which the social distance between their members, though real, was less deep and less significant than that which separated them from other social groups'.⁹⁴ In this case, deponents recognised that Collings and Lund stood closer to each other in their living standards, manners and education than their social status immediately suggested. In this 'finely grained hierarchy', it is possible to capture a glimpse of what Wrightson has described as 'a smaller number of . . . social and cultural milieux'.⁹⁵ Indeed, as Wrightson suggests, it was precisely these constellations of groups that contemporaries sought to identify when they employed the language of 'sorts'.

By contrast, in the seventeenth century, the distinction between Geoffrey Cheesman and John Gardiner, both yeomen and former parish officeholders of Rusper (Sussex), was drawn explicitly along the lines of wealth. The interrogatories ministered to the defendants specifically asked whether Cheesman had ever dwelt in

⁹² CRO EDC.5 (1693), 12: Liverpool.

⁹³ BI CP.H 3187 1675: Skipton.

⁹⁴ Wrightson, 'The Social Order', p. 28.

an ancient tenement or occupied a 'reasonable quantity of land' in the parish. The implication was rather that he had dwelt in a cottage that had lately been 're-edified or enlarged which was not long since set up', and thus the disputed seat was not an appropriate place for him. John Gardiner, one of the 'best inhabitants', was a freeholder who owned an 'ancient little house' with three acres of land, and was thus considered to be of 'better sufficiency' than Cheesman. Even in 'scotting and lotting' Cheesman was not of 'such abilitie' as Gardiner. Personal credit, wealth, freehold tenancy and the amount an individual was assessed all played a part in the determination of a person's status within a particular social group.⁹⁶ These descriptions were instrumental in enabling contemporaries to define their standing in relation to each other, and they also help to qualify our understanding of the compound nature of social status in early modern England.

The complex nature of contemporary perceptions of an individual's social status can, finally, be seen in a case from Halifax in the seventeenth century. Simon Sterne alleged that his rivals, the Drake family, were 'held in good Esteem within the parish'. However, he also claimed that the seat in controversy between himself and the Drakes was actually used by the Drakes' tenants. Sterne's irritation derived from the fact that he considered the tenants to be 'very ordinary people' who were 'poor and inconsiderable' and could in no way be thought of as 'proper and suitable Companions for . . . Simon Sterne Esquire they being at the best ordinary Clothiers and small Farmers and some of them day Labourers', who 'by reason of their poverty' had been excused from the church rates. Sterne's assessment of the tenants' standing was not shared by Abigail Drake who declared that her tenants were 'very honest Substantiall and Credible persons and Farmers, and not poore nor day

⁹⁵ Wrightson, 'The Social Order', p. 190.

labourers as is falsely suggested'.⁹⁷ This case also serves to remind us that status was in the eye of the beholder. From Sterne's perspective the local social order could only ever be considered from a bird's eye view. The Drakes' substantial tenant farmers may have been 'credible' and powerful in relation to their poorer neighbours, but they also found themselves looking aspirationally at those above them, a double perspective that serves to highlight the complexity of status and power relations in early modern England. An individual who was superordinate in one context might be a subordinate in another.⁹⁸

III

Challenges to the Formal Hierarchy

Contemporaries were, therefore, extraordinarily sensitive to minor acts of defiance or rebellion that might compromise the meaning of their status as represented in church. When the church in Colne was re-ordered in 1634, the inhabitants were placed according to 'their ranks and degrees, as neere as could be'. By 1636 disputes had arisen over the placement of certain parishioners. Edward Marston testified that pews had been allocated according to 'degrees and Callinges and not accordinge to their antient Church Leas' so that some who paid 'great Leas' were seated below others who did not pay as much. Henry West alleged that parishioners were effectively seated according to their 'owne private asseccions and desyres'. This concern that people were ordering themselves was echoed by John

⁹⁶ PRO STAC 8/155/29.

⁹⁷ BI CP.H 5800 17c.: Halifax.

⁹⁸ Michael J. Braddick and John Walter, 'Introduction. Grids of power: order, hierarchy and subordination in early modern society', in Michael Braddick and John Walter (eds), *Negotiating Power in Early Modern Society: Order, Hierarchy and Subordination in Early Modern England and Ireland* (Cambridge, 2001), p. 11. For a further discussion on how status was both contingent and

Holegate who believed that the inhabitants were not placed according to their 'meritts or deserts', or indeed their payments to the church, but according to their 'asseccions and wills and as their fancies lead'.⁹⁹ At Chesham (Buckinghamshire), the 1606 re-pewing scheme was considered necessary because 'some of the meanest accompt had gotten the best seates, and wold sitt with persons of farr better reconing'.¹⁰⁰ When, in 1636, Robert Theodorick was granted a seat in Swaffham church (Norfolk), 'contrary to the liking and approbation of divers of the best men in the parish, he being an oatmeal maker and a man of no great credit', the churchwardens decided not to move him until a year later when he took 'into the seat aforesaid a man of mean condition, a barber by profession'. The leading inhabitants had accepted his placement, despite their reservations, until such a time as Theodorick sought to mould the symbolic hierarchy of the town contrary to their standards.¹⁰¹

In theory at least, status was fixed and position in the social hierarchy, whether one was a gentleman, yeoman, husbandman or labourer, relatively stable. However, contemporaries were being forced to recognise that population growth and geographical and social mobility had undermined the correspondence between customary arrangements and the constantly shifting reality of the social hierarchy. A faculty from Kensington (Middlesex) in 1623 sought to remedy a situation whereby the allocation of seats to houses had resulted in a seat fit for Sir John Ashfield ~~was~~ being used by 'some of lower Rancke and Condition so as decency therein which

geographically restricted see French, 'Social Status, Localism and the "Middle Sort of People"', pp. 87-99.

⁹⁹ CRO EDC.5 (1636), 39: Colne.

¹⁰⁰ Nesta Evans, 'A scheme for re-pewing the parish church of Chesham, Buckinghamshire, in 1606', *Local Historian*, 2 (1992), 203-7.

¹⁰¹ Amussen, *An Ordered Society*, p. 139.

should be observed in Churches is not kept'.¹⁰² Indeed, the most significant aspect of seating plans such as that for Stowlangtoft (Suffolk) is the probable motivation for the changes. Despite evidence of a recent ecclesiastical visitation, David Dymond suggests that it was the arrival of Paul Dewes in 1615 as a new and precocious landowner and leader of local society that 'inevitably caused a re-defining of the "social map"'. This was then confirmed by means of a subsequent visitation.¹⁰³ The definition of one's place in the social hierarchy as represented in church was a process of negotiation that involved not only the place individuals had in mind for themselves, but also in the role perceived by others.

Depositional evidence from pew disputes suggests that the middling sort were particularly sensitive to the process of social change and social mobility. These men, often churchwardens and local notables, were not only at the forefront of these changes; they were instrumental in defining and articulating them in the arena of the church. In this, they were frankly aware of social mobility in their community. It was alleged that the 'generall custome' at St. Michael's, Chester (Cheshire) was the same in 1639 as in all

parish Churches within this Citty of Chester, (where men continually live and rise by tradinge and come to beare office) that seates . . . in the . . . Churches have bene and assigned unto the Citizens and parishioners according to their ranckes and degrees, and are from tyme to tyme altred and the partyes removed to higher and better places as they arise in degree and meanes and beareing of offices within the said Citty.¹⁰⁴

¹⁰² LMA DL/C/343: Kensington (Middlesex), 6 November 1623.

¹⁰³ David Dymond, 'Sitting Apart in Church', in Carol Rawcliffe, Roger Virgoe and Richard Wilson (eds), *Counties and Communities: Essays on East Anglian History* (Norwich, 1996), pp. 213-25.

¹⁰⁴ CRO EDC.5 (1639), 9: Chester, St. Michael.

Changes at Marbury (Cheshire) were anticipated in 1687 when it was alleged that the defendant in a pew dispute, Thomas Heath, had 'of late' become 'a man of considerable Estate in ye parish'.¹⁰⁵ The rise of a greater number of lesser gentry from the ranks of the more successful yeomen during the sixteenth century in areas such as Wigston Magna (Leicestershire), Chippenham and Orwell (Cambridgeshire), and Terling (Essex), fuelled gentry concerns.¹⁰⁶ This was often reflected in church seating conflicts. When Thomas Fraunceis' claim to the whole north aisle of West Buckland church (Somerset) was challenged by Charles Ley, and his brother, a clothier, men of 'mean and obscure parentage', Fraunceis slighted and publicly derided their mother, who they described as 'by birth, marriage and estate very poor, mean and worthless . . . the daughter of one James Boverman a tanner'.¹⁰⁷ Lyonell Wright, esquire, of Walthamstowe (Essex) had two of the uppermost seats on the north side of the middle aisle of the church assigned to him in 1621. The grant was made to Wright and his posterity 'soe longe as they shalbe of condicon estate and abilitie fitt to sitt in the same seate'.¹⁰⁸

The churchwardens and other members of the community responsible for assigning seats in church were as responsive to this negative social mobility as they were to its converse phenomenon. William Holland of St. Peter's, Chester (Cheshire) deposed that the Churchwardens placed parishioners according to their 'degrees and estates, and as they have risen in their degrees and estates have usually . . . placed them in higher pews . . . upon the request of such persons': an explicit

¹⁰⁵ CRO EDC.5 (1687), 10: Marbury.

¹⁰⁶ W. G. Hoskins, *The Midland Peasant: The Economic and Social History of a Leicestershire Village* (London, 1965), pp. 133-40; Margaret Spufford, *Contrasting Communities: English Villagers in the Sixteenth and Seventeenth Centuries* (Cambridge, 1974), pp. 108-11; Keith Wrightson and David Levine, *Poverty and Piety in an English Village, Terling 1525-1700* (2nd edition, Oxford, 1995), pp. 73-4; David Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England, 1603-1660* (Oxford, 1985), pp. 20-22.

¹⁰⁷ Underdown, *Revel, Riot and Rebellion*, p. 31.

recognition of upward social mobility. However, Benjamin Critchley and Thomas Chapman alleged that the churchwardens also had ‘the power of placing persons in seates as also upon the removal out of the parish or decay of their estates power to displace’, suggesting that they equally recognised the process of downward social mobility.¹⁰⁹ Likewise, at St. Chad, Shrewsbury (Shropshire) in 1637, Richard Langley alleged that the churchwardens had the right to place a parishioner in a seat that had been left ‘voyd’ due to the ‘decay of any person in his estate’.¹¹⁰ Some groups, as we have seen, were more prone to this kind of reduction in their status, and of these, widowed women featured prominently.

In a case between William Bacon, a bailiff to the Duke of Norfolk, and Sarah Mason, a widow of Sheffield, it was alleged that Mason had, in her widowhood, become a woman of ‘poore and low Condicton’. By contrast, Bacon’s vast estate in the parish was estimated at between £1000 and £1500. Whereas Bacon was described as a man of the ‘best Rank and fashion’, Mason ‘retailed Ale for a livelyhood’ and let out the greater part of her house in order to maintain her seven children. Mason nevertheless felt able to challenge Bacon’s own claims of status. Where Bacon was reputed to have recently married a gentlewoman of considerable fortune, Mason suggested that he had married the daughter of a bailiff and that her relatives seldom visited them. Mason even alleged that Bacon was not one of the ‘best rank and quality’ and that he did not own his house. It was only failing health, Mason declared, that had forced her to let out part of her property.¹¹¹ Other widows were also prepared to publicly resist damaging decisions regarding their status. Joanna Lambert, a widow from Colchester (Essex) was presented in 1610 for

¹⁰⁸ LMA DL/C/341: Walthamstow (Essex), 8 October 1621.

¹⁰⁹ CRO EDC.5 (1668), 18: Chester, St. Peter.

¹¹⁰ LRO B/C/5 1637: Shrewsbury, St. Chad.

refusing to sit in her appointed seat. Likewise, Margery Lawson of Fobbing (Essex), a wealthy widow, successfully challenged a decision by the churchwardens to move her seat lower down in the church.¹¹² While some women doubtless suffered their fate in silence, two women protested against their re-seating following a re-ordering of the church at Tisbury (Wiltshire) in 1637. They declared that ‘they would sit in no other seats than what pleased them’ and one openly challenged the court by pronouncing that ‘blessed are they that do comfort the widows, but cursed are they that do them wrong’. The swiftness with which the church courts excommunicated this woman following her outcry is a potent reminder that the ecclesiastical authorities might ruthlessly uphold the hierarchies of both rank and gender.¹¹³

IV

The Popular Acculturation of Deference and Subordination

How then were these hierarchies upheld in the everyday life of the parish? In some instances, the criteria used by churchwardens were so widely shared that individuals refrained from sitting in pews that they felt were above their station. Richard Hewitt of Dodleston (Cheshire) ‘chided’ his wife in 1681 for allowing his sister-in-law to sit above her in her seat. She replied that Hewitt had not left enough land to their house ‘that she would strive for place with her elder brother’s wife’.¹¹⁴ Richard Pithian ‘forbore to sitt’ in a seat in Prescott Church (Cheshire) in 1695 that he was entitled to following the arrival of John Lathom into the township as he was

¹¹¹ BI CP.H 4334 1693: Sheffield.

¹¹² LMA DL/C/338: Fobbing (Essex), 3 and 7 April 1602; Amanda Flather, *The Politics of Place: A Study of Church Seating in Essex, c. 1580-1640* (Friends of the Department of English Local History, Friends Papers No. 3, Leicester 1999), p. 33.

¹¹³ Underdown, *Revel, Riot and Rebellion*, p. 33.

¹¹⁴ CRO EDC.5 (1681), 1: Dodleston.

‘a considerable person’.¹¹⁵ When the seats in Bridlington church (Yorkshire, East Riding) were altered in the 1630s, a seat had been assigned to three men, including on William Merry. A pew dispute arose in 1682 by which time Merry’s son was described as a very poor and indigent man in such ‘great necessity’ that his wife and children were forced to beg. Since he had fallen in the world Merry junior had ‘not presumed to come’ into the seat. Of the other men who had originally occupied the seat, George Perkins had raised two daughters, one of whom had married Merry’s son, and the other that had married a ‘poor man’ who lived by ‘hard labour and take much paines for A meane and poore Livelyhood’. Likewise, these ‘impotent’ poor had not presumed to sit in the seat appointed to their father.¹¹⁶ The right to a seat in church was not merely a matter of right or long usage. The descendants of the original owners of the seat had internalised certain ideas about their place in the social hierarchy as represented in the church that prevented them from sitting in a seat that was theirs by right and by inheritance.

The examples we have considered here suggest that there was a difference between *knowing* one’s place, *accepting* one’s place and *liking* one’s place in the local hierarchy. Indeed, pew disputes often reverberated with these internal, personal conflicts concerning identity and status. Although there were occasional challenges to the vision of the social hierarchy as represented in the church seating plan, there appears to have been a genuinely popular acculturation of the official notions of hierarchy expressed by the churchwardens and the ecclesiastical courts in the allocation of pews. There are, however, limits to our knowledge of how far down the social scale this internalisation extended. Through much of the depositional evidence we hear a male, aging, middling voice concerning the criteria

¹¹⁵ CRO.EDC.5 (1695), 13: Prescott.

by which one's place in the social order was decided. Nonetheless, the poor and landless labourers, the young, and women did have a perspective in pew disputes, albeit a more marginal one. The examples are fragmentary and isolated, but they are nonetheless revealing. In one sense, these social groups were relatively powerless, as they rarely made explicit interpretive comments regarding the social system itself or their own place within it. However, as deponents, these groups were frequently able to pass judgement on the status and character of their betters, their elders, and their male, patriarchal counterparts even though they seldom, if ever, compared themselves explicitly to them.

James Passand, a labourer from Barton Under Needwood, deposed in 1684 that he had lived in the area all his life and had been hired as a servant fifty years previously by John Chippondale, the predecessor of the defendant in a pew dispute, Mary Bromfield. Passand alleged that he had sat in the seat in controversy between Thomas Webb and Bromfield during his time as a servant. He further testified that Bromfield had made improvements to the pew over time. Although Passand was a labourer, his position as servant almost fifty years prior to the suit gave him a unique insight into the complexities of the case and into local custom. From this formally underprivileged position, Passand was able to transcend his lowly social position, and play an important role in the creation and articulation of the local social hierarchy.¹¹⁷

The offices or tasks granted to individuals of a lower social status also gave them the opportunity to play an active role in pew litigation. William Cookson, a labourer from Wakefield, was making his 'rounds' in the church 'to clear the same from doggs and to see that ye pews were in good order'. This weekly routine put

¹¹⁶ BI CP.H 4058 1682: Bridlington.

him in a position in time and space to witness Joseph Barras forcing Thomas Warburton from a pew. Warburton's master, Thomas Pollard, asked Cookson to take note of the dispute, presumably in the hope that he would testify to the events if the case were ever heard before the ecclesiastical courts. The case was indeed heard and Cookson's menial task became imbued with purpose and integrity as he recounted his version of the events that Sunday morning.¹¹⁸

Likewise, in a lengthy dispute between Sydney Wortley esquire and Henry Halfehide, a gentleman from Ordsall (Nottinghamshire) in 1684, two labourers, George Hirst and Robert Pennil, had been summoned as witnesses. Their testimony regarding the building, ownership, and sale of the pew were crucial, as both men had served as churchwardens at the time the dispute commenced. These men of humble status had procured the office of churchwarden and through that position had played a prominent role in placing parishioners, and therefore in shaping the local social order.¹¹⁹

Although perhaps as many as 40 percent of the people living in England in our period were aged younger than 21 years, young people were rarely, if ever, given positions of responsibility, with offices invariably being granted to men of maturity. As we have seen, young people were very infrequently called as witnesses in pew disputes. However, when they did appear as deponents they frequently upheld notions of order and decency in the church. They also confirmed community notions regarding the limits of acceptable violence and what constituted a convincing claim to a certain pew. In this they were exemplary models of social norms and expectations. However, in the public rendering of their accounts, young people

¹¹⁷ LRO B/C/5 1684: Barton Under Needwood.

¹¹⁸ BI CP.H 4343 1694: Wakefield.

¹¹⁹ BI CP.H 5152 1684: Ordsall; BI CP.H 3625 1685: Ordsall.

could and did call into account the behaviour of their elders and the suitability of their conduct. In doing this they took on, as it were, the role of the very people upon whom they were passing moral judgements, and for a short time at least, their roles were inverted.¹²⁰

Lavina Hill, a spinster and a servant from Nuneaton (Warwickshire), was only twenty-two when she was summoned as a witness in a pew dispute between Mary Drayton and Frances Baskerville in 1629. Hill recounted how Baskerville had forced Drayton to 'sitt forth of the said seate'. Baskerville had also allegedly humiliated Hill by calling her a 'dirty slut' and claiming that she was not a suitable 'pewfellow for her'. In spite of her youth, Lavina remarked that Baskerville's words were uttered in an 'unquiett and very distasteful manner', and implied that the actions of an older woman who was also her social superior were socially unacceptable.¹²¹ When Charles Chadwick sat on the 'lapp or knees' of Sara Parker in a pew in St. Mary's church, Nottingham in 1685, embarrassing her in front of the congregation, Hanna Britland and Anna Richards, two young spinsters, testified regarding his behaviour. They alleged that Chadwick's behaviour had been 'rude and violent' and unsuitable particularly in the context of the church.¹²²

John Dickinson of Leeds (Yorkshire, West Riding) was a young cloth dresser. In 1683, at the age of nineteen he was called as a witness in a pew dispute between Richard Wilson, a gentleman, and Elizabeth Settle and Sara Hardcastle. The dispute turned on whether Anne Parker had assigned the seat to Wilson or whether she had transferred the ownership of the pew through her property to Settle

¹²⁰ Cf. J. A. Sharpe, 'Disruption in the Well-Ordered Household: Age, Authority, and Possessed Young People', in Paul Griffiths, Adam Fox and Steve Hindle (eds), *The Experience of Authority in Early Modern England* (London, 1996), pp. 187-212.

¹²¹ LRO B/C/5 1629: Nuneaton.

¹²² BI CP.H 3640 1685: Nottingham, St. Mary.

and Hardcastle. Dickinson alleged that he had been present as a witness when an agreement between Parker and Wilson was drawn up and signed by the parties. As the witness to a legal document concerning a seat in the church, Dickinson was able to confirm and ultimately affect the decision regarding the placing of his elders and ‘betters’.¹²³

Women also testified concerning the conduct and relative social position of men in pew disputes. A seventy-five year old widow from Barton Under Needwood, Margaret Holland, was called as a witness in a pew dispute in 1684. Her memory stretched back in time to the ‘late Rebellion’, but she also testified to more recent events. She recalled how Mary Bromfield’s bailiff had ordered the tenants of Blakenhall to sit in the seat in controversy between Thomas Webb and Bromfield. However, the tenants found that ‘people Laught at them for soe doing’. Holland interpreted this as being due to the fact that the seat was the ‘uppermost seat in the church and they but inferior persons’.¹²⁴ Similarly, in a pew dispute between John Swain and William Pierrepoint of Astbury (Cheshire) in 1632 Margaret Pursell, a ninety-two year old local woman, alleged that Pierrepoint paid twice as much yearly rent for his estate as Swain.¹²⁵ Margerie Knowles, a widow from Childwall (Cheshire) testified in a pew dispute between Hammet Johnson and Henry Ellison in 1640. Knowles recounted the history of the pew’s ownership and concluded by stating that she believed Ellison ‘by reason of his meanes deserveth a better seate’.¹²⁶ These women testified to the ‘credit’ of men who were often their social superiors, and therefore passed explicit judgement on the criteria by which social status was formed. This reflected a popular acceptance or acculturation of the

¹²³ BI CP.H 3596 1683: Leeds.

¹²⁴ LRO B/C/5 1684: Barton Under Needwood.

¹²⁵ CRO EDC.5 (1632), 37: Astbury.

official notions of hierarchy, although it is possible that some of these ‘deferential’ deponents were *publicly* telling the ecclesiastical authorities what they wanted to hear. Their *private* thoughts might have been otherwise.

The very fact that these criteria were so widely accepted by deponents suggests that they were generally held across the middling and upper groups of society from which ranks they were drawn. Individuals of a lower rank in the parish of Barton Under Needwood (Warwickshire) who attempted to sit in a ‘very decent and convenient seat’ in the church in 1684 by right of the property they rented found that they were ‘laught at’ for trying to sit above their station’. Although the processes of change challenged community descriptions of the local social hierarchy, there were limits to the processes of negotiation.¹²⁷

V

Conclusion

The dominant, aging, male, middling voices heard in the depositions of almost two thousand witnesses who testified on behalf of litigants in pew disputes therefore tended to confirm the criteria used by the local and central ecclesiastical hierarchies in the allocation of seats in the church. These included notions of wealth and property; rank and lineage; settled residence; office holding; credit and reputation; age; and gender. These categories were complex and often overlapped. They were also unstable and open to negotiation. There were frequent voices of dissent and occasional individuals who explicitly challenged aspects of these notions of hierarchy and order. Indeed, pew disputes themselves were a reflection of

¹²⁶ CRO EDC.5 (1640), 25: Childwall.

¹²⁷ LRO B/C/5 1684: Barton Under Needwood.

this dissent, as individuals fought to improve or protect their position in the church and the social hierarchy. However, there were limits to the extent to which these categories could be negotiated.

The depositional evidence from pew disputes considered here further suggests that there were certain recognisable 'social clusters' within the formal, conventional hierarchy. These affinities, Wrightson has argued, focused less upon static, formal, classification than upon the basic alignments demonstrated in the dynamics of social relations.¹²⁸ These social milieux reflected the compound nature of social status in early modern England, and are indicative of the processes of social change and social mobility. These processes were frankly recognised by those who assigned seats in churches, but also by parishioners who testified in pew disputes. The language of 'sorts' and other languages of dissociation were becoming increasingly resonant.

While the assessment here in part echoes the observations of H. R. French that the middling sort in the localities were describing themselves as the 'chief inhabitants', it also confirms that the language of 'sorts', if not the middling sort, was similarly present.¹²⁹ More significantly, however, the evidence considered here suggests that contemporaries described themselves with reference to a range of different idiom. This would indicate that the terms of reference used by contemporaries to describe social status were even more complex than either the language of 'sorts' or the idiom of the 'chief inhabitants' are able to embody in and of themselves.

There are also limits to our knowledge of how far down the social scale these notions of hierarchy and order descended, as the greater part of our

depositional evidence excludes the poor, the young, and women. The few examples we have of these marginal voices tend to confirm official notions of the social order. However, the very manner by which these marginal groups were able to pass judgement on the conduct and status of their superiors suggests that for a brief period of time at least, their voices also played a part in the shaping of the social order as represented in the church seating plan.

In 1596, the Swallowfield town meeting declared that: ‘such as be poore and will malepertlye compare with their betters and sett them at nought shalbe warned to live and behave them selves as becometh them’.¹³⁰ Pew disputes reveal that habits of deference were internalised through church seating, arguably one of the most potent symbols of subordination. In every way, therefore, the poor, ‘even the deserving poor, should know their *place*’.¹³¹

As we have seen, pew disputes took place in the wider context of economic and social change. However, the desire to control and maintain order also occurred during a period of far-reaching religious and liturgical innovation. Although pew disputes can obviously be traced back to the medieval period, evidence shows that the chronological significance of our period is to be found in the sheer concentration of contention, which rose to a peak in the 1630s. The following chapter will consider the significance of these trends in the light of ecclesiastical policy and its relationship with local customary culture.

¹²⁸ Wrightson, ‘The Social Order’, p. 190-91.

¹²⁹ French, ‘Social Status, Localism and the “Middle Sort of People”’; Wrightson, “‘Sorts of People’”.

¹³⁰ Steve Hindle, ‘A Sense of Place?’ Becoming and Belonging in the Rural Parish, 1550-1650’, in Alexandra Shepard and P. J. Withington (eds), *Communities in Early Modern England: Networks, Place, Rhetoric* (Manchester, 2000), p. 100. See also, Steve Hindle, ‘Hierarchy and community in the Elizabethan parish: the Swallowfield articles of 1596’, *Historical Journal*, 42 (1999), 835-51, p. 850.

¹³¹ Hindle, ‘A Sense of Place?’, p. 100.

Chapter Five

Pews and Ecclesiastical Policy

While the so-called 'increase in governance' of the sixteenth and early seventeenth centuries brought men of middling status into closer contact with the state, so perhaps to an even greater effect, the gradual penetration of Protestantism into the provinces after 1559 began to incorporate the nation. Most villages had a church, only a minority a resident justice of the peace. Broad conformity following the Elizabethan settlement was steadily consolidated through the ecclesiastical courts. Punishing failure to attend church or participate in the Sabbath, the courts also enforced conformity in church furniture and ritual. Indeed, throughout our period, ecclesiastical concerns regarding church seating were principally those of repair, the settling of disputes, and preventing the illegal erection of seats.¹ However, during the 1630s and 1660s, other issues regarding pews were expressed in visitation enquiries and in office and visitation causes. As we have seen, the 1630s witnessed a particularly significant rise in the amount of pew litigation heard in, and in the number of faculties issued by, the ecclesiastical courts. There was a similar increase between the 1660s and the 1680s. This chapter will attempt to explain the chronology of these trends in the light of ecclesiastical policy, and the reaction to these measures at the parish level.

The focus of the following discussion will not be the origin and nature of the campaign for the beauty of holiness. After all, this is now very well established, if not entirely uncontroversial, in the historiography.² Rather, it will concentrate on the

¹ Dillow, 'Church-Seating Arrangements', pp. 52-3.

² Relevant recent scholarship on the religious disputes of the early Stuart church and the origins of the beauty of holiness includes: Nicholas Tyacke, *Anti-Calvinists: The Rise of English Arminianism, c.1590-1640* (Oxford, 1987); Julian Davies, *The Caroline Captivity of the Church: Charles I and the*

local dynamics of the relationship between innovation and local custom. The *experience* of the Laudian campaign can only be understood in the context of a local customary culture, in which pew allocation looms large. This customary culture will be painstakingly reconstructed on the basis both of the age and literacy profile of the deponents who gave evidence in the disputes which naturally arose out of Laudian alterations, and of the rhetoric that deponents used when attempting to defend their local arrangements against the encroachments of the ecclesiastical hierarchy. In exploring these concepts, the following discussion will build on the suggestive comments of David Cressy and Steve Hindle to reconstruct the complex relationship between Laudian innovation and local customary culture.³

Kevin Dillow has argued that the 1630s represent the first and only time during the sixteenth and seventeenth centuries that a coherent episcopal reform of the pew system was attempted, and a ‘full campaign to amend seating can be seen’.⁴ During this decade, visitation articles suggest that in a number of dioceses, a ‘Laudian style’ of worship was affecting the interior ordering of ecclesiastical space in the church and fundamentally altering the manner in which the local community viewed that space.⁵

I

The ‘Laudian Style’

Remoulding of Anglicanism (Oxford, 1992); Peter White, *Predestination, Policy and Polemic: Conflict and Consensus in the English Church from the Reformation to the Civil War* (Cambridge, 1992); Kenneth Fincham (ed.), *The Early Stuart Church, 1603-1642* (London, 1993), and in particular, the essay by Peter Lake, ‘The Laudian Style: Order, Uniformity and the Pursuit of the Beauty of Holiness in the 1630s’, pp. 161-85.

³ David Cressy, ‘The Battle of the Altars: Turning the Tables and Breaking the Rails’, in *Travesties and Transgressions in Tudor and Stuart England: Tales of Discord and Dissension* (Oxford, 2000), pp. 186-212; Steve Hindle, ‘A sense of place? Becoming and belonging in the rural parish, 1550-1650’, in Alexandra Shepard and P. J. Withington (eds), *Communities in Early Modern England: Networks, Place, Rhetoric* (Manchester, 2000), pp. 105-6.

⁴ Dillow, ‘Church-Seating Arrangements’, pp. 173-6.

⁵ This phrase is borrowed from Lake, ‘The Laudian Style’, pp. 161-64.

The Laudian view of the divine presence in the world and within the confines of the church had a profound influence on the way in which the church and the accoutrements of worship were arranged and imagined. God's presence in his 'proper mansion or dwelling house', the very 'gate of heaven' suffused the whole structure of the church building with what Peter Lake has described as an 'aura of holiness'.⁶ Although God was present everywhere, his presence was most intense in the physical building of the church. For that reason, reverence and respect was the cornerstone of the Laudian style, the outward sign of which was a church that radiated with the beauty of holiness. Although this involved an intense concern with the material fabric of the church and a heightened sense of the value of ecclesiastical ornament and decoration, it also encouraged an even greater emphasis on the ceremonial and liturgical facets of worship. As individuals approached the presence of God in church, Laudians believed that they should feel awe, fear and reverence that were to take a directly physical form in the outward gesture and behaviour of both the individual and the congregation. The ritual and uniform kneeling, rising, standing, bowing, praising and praying of the whole congregation was therefore a defining mark of the Laudian style, and expressed the internal workings of the fear of God.

Other aspects of the Laudian style of worship had immediate practical consequences for the ordering of the church. Prayer itself brought the church on earth closer to the condition of the saints and angels in heaven, and thus public prayer was close to the heart of the Laudian vision of the beauty of holiness. However, this emphasis on prayer was matched by a diminution of the relative significance of preaching. In their redefinition of the role of preaching, Laudians emphasised that preaching was a means to bring people to prayer, and that both of

⁶ Quoted in Lake, 'The Laudian Style', p. 164.

these were, in turn, the means to prepare people for the sacraments. The sacraments themselves were placed at the very heart of Laudian expressions of Christian piety and religion, and at the place where God's presence was particularly evident in the church, and that represented 'our greatest Communion with Christ'.⁷ For Eleazor Duncon, the Eucharist was the 'greatest perfection and consummation of the Christian religion'.⁸ These tendencies meant that for those who shared these views, the presence of God was not evenly spread throughout the church building, but was particularly potent at the altar upon which the sacrament was administered. The diminution of the role of preaching by those who adopted the Laudian style of worship alongside the centrality of the Eucharist meant, in practice, a fundamental shift in the focus of worship in the post-Reformation church from the pulpit to the communion table. Fulke Robarts described the tangible architectural form given to this sacred ordering of space, commenting first on the font that was located near the church door, 'ready to receive and entertain' the neophyte who was then

made one of the company which have right and interest in the privileges of that part of the church where the font is placed viz. the water of baptism to wash away his sins, the word for his instruction and prayer whereby to communicate himself to almighty God until he be fitted to be further preferred to the holy table which is therefore elevated or set down upon an higher floor than the rest of the pavement to be more in the eyes and view of the people, that so for their edification they may better behold the behaviour of the priest, consecrating.⁹

⁷ Cited in Lake, 'The Laudian Style', p. 171.

⁸ Cited in Lake, 'The Laudian Style', p. 171.

⁹ Cited in Lake, 'The Laudian Style', p. 175.

These changes in turn had consequences for the seating arrangements of parishioners since a number of prominent seats were located near the pulpit. They also had an impact upon the physical appearance and placement of pews.

Although the episcopate had always been concerned about seating in churches, its principal interest had traditionally been the appropriate ordering of *parishioners*. However, in the 1630s, the evidence from visitations suggests an increasing concern with seats themselves. The paramount need was the establishment of uniformity in the height and position of seats. This included the insistence that seats faced eastwards, allowing for the keener observation of ritual. Thus, in his metropolitanical visitation of Lincoln in 1638, William Laud enquired whether any of the seats in the church or chancel were ‘of unusuall height, viz. above foure foot high?’¹⁰ The visitation articles for Norwich in 1638 enquired whether the pews were ‘built of an uniformitie? Or do they hinder and incumber their neighbours, in hearing Gods word and performing divine service’.¹¹ Likewise, Archdeacon William Kingsley’s injunctions to the churchwardens of St. Margaret’s, Canterbury (Kent) in 1639 included the order that the seats in the church should be made ‘decent and conformable’ especially those next to the pulpit and the middle aisle, which ‘by reason of their heights are hinderances to those behind them’.¹² In his visitation of the diocese of Norwich in 1636, Bishop Matthew Wren enquired whether there were any ‘privie closets, or close pewes in your church’, and if there were ‘any pewes so loftily made’, if they in any way hindered ‘the prospect of the church or chancell, or that they which are within them be hidden from the face of the

¹⁰ Kenneth Fincham (ed.), *Visitation Articles and Injunctions of the Early Stuart Church, Volume II*, Church of England Record Society, 5 (Suffolk, 1998), p. 98.

¹¹ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 192.

¹² Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 210.

congregation?’¹³ Wren’s injunctions of 1636 included an order that the aisles of the church were not to be ‘incroached upon by buildinge of seates’, and that any offending pews were to be removed. Wren also ordered that ‘no pewes be made over high, so that they which be in them cannot be seene how they behave themselves, or the prospect of the church or chancell be hindred’. Tall pews not only hindered the ability to hear divine service, but they also interrupted the prospect of the chancel and hid the behaviour of those that sat within.

The primary motivation for this campaign was to establish the ‘beauty of holiness’ through orderly religious observance that promoted the outward expression of reverence and the awe of God. Thus in Stepney (Middlesex), the central authorities were concerned that the new pews built in 1635 should be ‘soe built and framed that the people that shall sitt therein maie be discovered in what posture and with what Reverence they behave themselves’ in service time.¹⁴ In 1634, Bishop Corbett expressed the same concern when he wrote that:

Pews are become tabernacles with rings and curtains to them, there wants nothing but beds to hear the word of God on; we have casements, locks and curtains and for these we love the church. I will not guess what is done within them, who sits or stands at the communion, but this I dare pronounce it is to hide some vice or to proclaim one, to hide disorder or to proclaim pride.¹⁵

Thus fear and awe of God were to take a directly physical form in the outward gestures and behaviour of the congregation, behaviour that was intended to be visible to others. Those who hid behind their ornamented pews were not able to take

¹³ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 148.

¹⁴ LMA DL/C/343: Stepney (Middlesex), 1 April 1635.

¹⁵ Cited in Dillow, ‘Church-Seating Arrangements’, p. 179.

part in the uniformity of ritual that expressed reverence and they were thus suspected of both disorder and pride, vices that hindered worship.

Visitations were also concerned with the removal of seats from the chancel and above the altar where Laud claimed parishioners sat ‘above God Almighty and above Christ in his own house’.¹⁶ Indeed, whilst he was Bishop of London, Laud had pursued the churchwardens of St. Austin and of St. Leonard, Foster Lane to the High Commission in 1632 to order the removal of seats above their communion tables.¹⁷ In 1636 Wren’s visitation articles for the diocese of Norwich enquired whether any seats had been built in the chancel. Likewise, Bishop Richard Montagu asked in his visitation articles for Norwich in 1638 whether their chancels were ‘surrounded with seats, wherein your parishioners commonly use to sit, which take up the room to much, and incroach upon the propertie of the minister?’¹⁸ Those bishops that shared this view often found themselves in friction with local gentry over the removal of tombs and family seats not only from the chancel, but also from central positions in the nave if they obscured the altar.¹⁹

Laudian concern over the placement and height of pews also extended to concerns for the proper reverence and respect accorded to the sacrament of the Lord’s Supper. Laud’s visitation articles for the diocese of Lincoln in 1634 included references to pews that blocked the main aisles in the church, as did Wren’s articles for the diocese of Lincoln.²⁰ These concerns were specifically related to the manner in which some parishioners received communion. Richard Montagu’s visitation articles for Norwich in 1638 were concerned to discover whether parishioners

¹⁶ Cited in George Yule, ‘James I and VI: furnishing the churches in his two kingdoms’, in Anthony Fletcher and Peter Roberts (eds), *Religion and Society in Early Modern Britain: Essays in Honour of Patrick Collinson* (Cambridge, 1994), p. 200.

¹⁷ Dillow, ‘Church-Seating Arrangements’, p. 176.

¹⁸ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 192.

¹⁹ Yule, ‘James I and VI: furnishing the churches in his two kingdoms’, p. 200.

²⁰ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, pp. 98, 145.

approached the communion table when they received the sacrament ‘and not (after the most contemptuous and unholy useage of some, if men did rightly consider) sit still in their seats or pews, to have the blessed body and bloud of our savior go up and down to seek them all the church over?’²¹ In 1641, Ephraim Udall, rector of St. Austin’s, London wrote a treatise entitled *Communion Comlinesse* condemning what he described as the ‘late new kind of building the Pewes so much higher and closer than heretofore’.²² Udall argued that the chancels in London churches were so encumbered with pews that individuals were forced to receive communion in their seats thus undermining the sacrament by preventing communal receipt. The sanctity of the ritual and of the priestly function were also demeaned as ministers were forced to

goe up and downe the church, reaching and stretching, rending and tearing themselves in long Pewes, to hold forth the Elements, over foure or five persons; the Ministers beinge sometimes aged, sometimes sickly . . . which many people have less regard unto, than to their Horse.²³

In short, seats in the chancel were a hindrance to order and decency and to the beauty of holiness as expressed in the sacrament of Holy Communion.

The Laudian style of worship also emphasised, or rather re-emphasised, the segregation of men and women in the church. As we have seen, the separation of the sexes in the church was a long-established tradition, and had been practised in Christian churches since the third century.²⁴ However, segregation was by no means universally practised and an abhorrence of this mixing of men and women was reflected in Laudian attempts to emphasise hierarchy and holiness in worship. In

²¹ Fincham (ed.), *Visitation Articles and Injunctions*, p. 207.

²² Ephraim Udall, *Communion Comlinesse* (1641), fo. A4.

²³ Udall, *Communion Comlinesse*, fo. 9.

²⁴ See chapter 2 above.

1624, the bishop of Chester ordered that the churchwardens of St. Oswald's, Chester place 'the men by themselves and the women by themselves'; the churchwardens failed to comply with his injunctions. In 1630 the churchwardens were presented to the consistory because the parishioners were found to be 'preposterously and not orderlie seated accordinge to theire degrees' and that in some seats, 'men and women have been and are placed and sitt promiscuouslye together'.²⁵ Likewise, Wren's visitation articles for Ely in 1638-9 specifically enquired whether 'men and women do not sit promiscuously together?'²⁶ In his visitation articles of 1638, Montagu enquired whether 'men and women sit together . . . indifferently and promiscuously? Or (as the fashion was of old) do men sit together upon one side of the church, and women upon the other?'²⁷ In this, Montagu could claim that tradition, rather than innovation, was his inspiration.

However, local definitions of hierarchy and order were also emphasised in visitation articles during this period. Thus William Higgin's visitation articles for Derby in 1641 questioned whether the patron of the church held 'the honour of the chiefe seate in the church?'²⁸ In 1635, John Williams' visitation articles for Lincoln queried whether 'any servants or youth prevent the householders of their seats?'²⁹ The fullest expression of the emphasis on order and hierarchy can be seen in Archdeacon William Kingsley's injunctions to the churchwardens of St. Margaret's, Canterbury in 1639. Kingsley ordered the churchwardens to place themselves and the other church officers 'soe as they might best see due order kept in the church'. The churchwardens were then to place all the householders in the chancel 'orderly according to their qualities, and place the youth and children maides and girles soe

²⁵ CRO EDC.5 (1630), 1: Chester, St. Oswald.

²⁶ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 151.

²⁷ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 192.

²⁸ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 252.

²⁹ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 101.

as each sexe may sit together orderly by them selves and not in eminent seates with their parents'. The seats were to be made conformable in height, and if more room in the church were needed, seats in the chancel were to be made 'decent' for young men and 'others of better ranck'. Finally the servants' stools at the end of the pews on the north side of the church were to be removed as they 'exceedingly take upp that isle'.³⁰ In this manner, Kingsley's injunctions echoed the concerns of local elites and the deponents in pew disputes regarding the appropriate placing of parishioners.

Peter Lake has argued that the levelling of the obtrusive and irregular private pews of laity also marked a levelling of human status hierarchies in the face of the divine presence. Indeed, the Laudian style of worship could be described as socially and culturally inclusive in that it promoted the concept that 'seeing is believing'. Furthermore, the uniformity of pews made all men appear symbolically equal before God. However, Lake further argued that another spiritual hierarchy of clerical and lay, was superimposed upon the status hierarchy.³¹ The construction of rails around communion tables that had been moved from the nave to the upper end of the chancel heralded these fundamental changes. Parishioners that had once celebrated communion around the table situated in the nave found themselves 'hedged out' of what had once been a ritual expression of social and spiritual solidarity. In these altered circumstances it was precisely those parishioners whose superior wealth, status and reputation allowed them a prominent seat in the church that sat in both sightline and earshot of the communion table. Conversely, poorer parishioners found themselves effectively distanced from participation in the focus of Laudian expressions of Christian piety and religion, the sacrament of the Eucharist. The processes of social inclusion and exclusion were, therefore, also evident in elements

³⁰ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 210.

³¹ Lake, 'The Laudian Style', pp. 177-8.

of Laudian church discipline.³² Indeed, the examples cited above suggest that local status hierarchies were an important feature of the Laudian style of worship. This was further emphasised in Montagu's directions at the Synod in Norwich diocese in 1639 where he stated that during communion,

The communicants being entred to be disposed into severall stations ranckes or formes, the first ranke to stand sitt or kneele, neare or close unto the rayles, which being the most eminent place, the best in the parishe may fittlie be disposed ther. Thus for order and decencie, though all be Communicants alike, in that holy communion, yett confusion is to be avoyded.³³

For Laudians, the beauty of holiness was not only compatible with, but actively encouraged, the formal restructuring of the local social order.

II

The Origins of the Beauty of Holiness

As the foregoing discussion has suggested, concerns about order were linked to the notion of 'decency', and this in turn was buttressed by the terms 'beauty', 'ornament', 'decoration', 'uniformity' and 'comeliness'. David Cressy argued that these words had, by the 1630s, become 'code words for the ceremonialist "beauty of holiness" and alarm signals to local puritans'.³⁴ These words had also become, for some, the antithesis of community, custom and convenience as well as a signal for variant views on religion.³⁵ However, long before Laud became bishop of London, the vicar-general's books for the diocese reflect the parochial use of this rhetoric. Likewise, the records of the ecclesiastical courts also reflect the early use of this

³² Hindle, 'A sense of place?', p. 106.

³³ Fincham (ed.), *Visitation Articles and Injunctions, Volume II*, p. 218.

³⁴ Cressy, *Travesties and Transgressions*, p. 196

³⁵ Cressy, *Travesties and Transgressions*, p. 198

language. As early as 1607 parishioners of St. Sepulchres (London) claimed that an old gallery was found 'to disgrace the bewtie of the churche darkening bothe Churche and Chancel' and hinder the voice of the preacher. Their plans to remove the gallery and enlarge two other existing galleries were intended to make it 'more convenient for the auditorie and for the better ornament of the church'.³⁶ In the 'much increased' parish of St. Swithen's (London), a petition of 1610 requested permission to build new pews on the basis that they would be 'fitt and convenient both to adorne and beautifie the place and also to recyve some of the better sort'. This 'godlie purpose', on the part of the vestry, hoped to 'advance the glorie of God and further the Salvation of the sowles both of themselves and others'.³⁷ The churchwardens and minister of East Barnet (Hertfordshire) granted a licence for Sir Thomas Fisher to build a pew in the chapel in order that it was 'better furnished and adorned' with the desire to 'beawtifie Gods howse'.³⁸ Likewise, 'rotten or ill favouredlie patched and botched' pews in the chancel of St. James, Clarkenwell (Middlesex) were replaced in 1618 by wainscot pews built for 'ye bewtifyinge of the house of God'.³⁹ Alex Walsham has argued that it is 'worth considering the possibility that the Laudian Church had parochial . . . foundations'.⁴⁰ These examples suggest that some Laudian changes, in particular the concepts of beauty and holiness through order and ornament, might indeed have grown from local roots. Even the ecclesiastical instructions concerning the uniformity in length and height of church seating found an early proponent in St. Lawrence, Putney (London) in 1613. Lady Haver's pew in the middle row of seats was 'built too highe above all the other

³⁶ LMA DL/C/339: St. Sepulchres (London), Jan. 1607.

³⁷ LMA DL/C/ 339: St Swithen's (London), 23 May 1610.

³⁸ LMA DL/C/341: East Barnet (Hertfordshire), 26 Nov. 1617.

³⁹ LMA DL/C/341: St. James, Clarkenwell (Middlesex), 22 Dec. 1618.

⁴⁰ Alexandra Walsham, 'The Parochial Roots of Laudianism Revisited: Catholics, Anti-Calvinists and 'Parish Anglicans' in Early Stuart England', *Journal of Ecclesiastical History*, 49:2 (October, 1998), p. 651.

pewes . . . and thereby it is unsightly'.⁴¹ Likewise, at Hemsworth (Yorkshire, West Riding) in 1605, there was a concern that Samuel Ashton's 'great square double pew' was blocking the cross aisle. The pew had allegedly caused such a 'disgrace and disturbance' that Lady Gargreave was unable to get into her stall safely and was 'forced to forsake her owne . . . seate'.⁴² The interrogatories in a pew dispute from Weaverham (Cheshire) in 1616 described recent changes in the ordering of the church as the 'late uniformity'.⁴³ Although, therefore, there is evidence from a number of dioceses, including Chester, that elements of Laudian innovation were in sympathy with local custom, it is nevertheless clear that Laudian policies provoked not only passive resistance, but also contention.

III

Caroline Innovation

Official concerns for beauty were becoming more distinct in the 1620s and 1630s. New pews to be erected in the parish of Much Waltham (Essex) in 1619 were to be 'decently built . . . and . . . no disgrace but rather a grace and decoration'.⁴⁴ The parishioners of Northall (Middlesex) wanted to erect 'decent and comely pewes' in 1631, a wish conceded by the court but with the proviso that they were also 'uniform, not high or inclosed with dores'.⁴⁵ It is arguable that the terms 'decency', 'decoration' and 'comeliness' were used strategically by parish elites to win sympathy for changes in the fabric of the church. It may also be the case that parishioners truly desired the decoration of their churches. Either way, ecclesiastical innovations heralded a linguistic and legal change that altered the way in which

⁴¹ LMA DL/C/340: St. Lawrence Putney (London), 1613.

⁴² BI CP.H 1013 1605: Hemsworth.

⁴³ CRO EDC.5 (1616), 74: Weaverham.

⁴⁴ LMA DL/C/341: Much Waltham (Essex), 18 February 1619.

⁴⁵ LMA DL/C/343: Northall (Middlesex), 25 January 1631.

parishioners articulated their relationship with the physical layout of their church. In 1638, John Wold, a gentleman from St. Giles-in-the-Fields (Middlesex) alleged that he had, with the consent of the churchwardens, made the backend of his pew equal in height to the front in order to 'keepe of[f] windes and avoyde other inconveniences', and to make the seat uniform with those around it.⁴⁶ Likewise, Thomas Hobsonne, a gentleman and the patron of the rectory of Great Sutton (Essex) confirmed to the vicar-general that his pew in the church was 'very decent and . . . an ornament'.⁴⁷ The proximity of these southeastern parishes to the hub of ecclesiastical authority and the influence of Laud undoubtedly encouraged the use of certain terminology in petitions and faculties.

However, the use of these terms is also evident in the rhetoric of a considerable number of disputes and faculties from other dioceses. At Holy Trinity, Kingston-upon-Hull (Yorkshire, East Riding) the church had reportedly been made 'decent and uniform' in 1633.⁴⁸ Although the churchwardens claimed that the seats at Kirk Overblow (Yorkshire, West Riding) had been 'repaired and made uniforme' during the 1630s, it was later discovered that the pews had remained 'verie undecent and uncomely' until the early 1640s.⁴⁹ The parishioners of the parishes of Wakefield (Yorkshire, West Riding) in 1629 and of Kirkburton (Yorkshire, West Riding) in 1638 described the changes and alterations to their churches and seats as 'bewtifying' the church.⁵⁰ In 1620, Anthony Thwaites and John Clarke claimed that they had built a 'convenient and comely' seat at Heanor (Derbyshire). They further alleged that they had removed a loose seat in the church and replaced it with a pew that was 'decent and comely . . . and is an ornament' to the church. The dispute

⁴⁶ LMA DL/C/344: St. Giles-in-the-Fields (Middlesex), 14 April 1638.

⁴⁷ LMA DL/C/344: Great Sutton, (Essex) 15 June 1638.

⁴⁸ BI CP.H 2348 1640: Kingston-upon-Hull, Holy Trinity.

⁴⁹ BI CP.H 5369 1641: Kirk Overblow.

⁵⁰ BI CP.H 1817 1629: Wakefield; BI CP.H 2261 1638: Kirkburton.

surrounding the faculty petition sought to prove that the pew was indeed an 'ornament' and not a 'hindrance'.⁵¹ Indeed, there were occasionally clear differences in how parishioners interpreted the words 'beauty' and 'decoration'. In 1640 Sir John Lister alleged that he had adorned and beautified his 'old stall' in the church of Holy Trinity, Kingston-upon-Hull with 'sealeing of firr and waynsecotte'. However, when the seats in the church were made uniform, these adornments were removed. Lister's decorations in his private pew diminished the order and beauty of the whole church, and of the foci of worship in the church in particular.⁵²

The rhetoric of uniformity, beauty, and holiness is particularly prevalent in the cause papers from the diocese of Chester. Bishop Bridgeman's restoration of his own parish church at Wigan and his cathedral at Chester may well have been an attempt to set an example in a diocese where many church buildings were in a state of disrepair, and to reflect his own dignity and importance. However, in 1633 Bridgeman found himself subjected to a scrupulous local enquiry by the crown and the two primates into various aspects of his diocesan administration.⁵³ Prior to Laud's archiepiscopate, Bridgeman's apparent distaste for rigour in ceremonial discipline was demonstrated by his toleration of puritan clergy. However, the pressure exerted by the Crown and Archbishops Laud and Neile in the 1630s 'eventually forced Bridgeman to bring his zeal in money matters to bear on matters of ceremony'.⁵⁴ Therefore, whilst Neile attempted to bring Bridgeman to heel using his metropolitanical powers, Laud, under the auspices of the Crown, repeatedly hampered Bridgeman over appointments to livings. Bridgeman eventually buckled

⁵¹ LRO B/C/5 1620: Heanor.

⁵² BI CP.H 2348 1640: Kingston-upon-Hull, Holy Trinity.

⁵³ B. W. Quintrell, 'Lancashire Ills, the King's Will and the Troubling of Bishop Bridgeman', in J. I. Kermode and C. B. Phillips (eds), *Seventeenth Century Lancashire: Essays Presented to J. J. Bagley* (Transactions of the Historic Society of Lancashire and Cheshire, 132, Liverpool, 1983), pp. 67-102; Judith Maltby, *Prayer Book and People in Elizabethan and Early Stuart England* (Cambridge, 1998), pp. 137-42.

⁵⁴ Maltby, *Prayer Book and People*, p. 140.

under the pressure and as a 'forced prosecutor, [and] like a conscript soldier, soon [learned] to fight as fiercely as a volunteer'.⁵⁵ Indeed, despite the threat of criminal charges in 1633, Bridgeman gradually 'warmed to Laud's superior authority and influence', although relations with Neile remained cool. In 1639, Bridgeman's son, Orlando, became Laud's steward.⁵⁶

The results of these pressures are palpable in a consideration of Bridgeman's visitation articles for the 1630s. In 1633, Richard Neile's visitation of York enquired whether all the seats of the church were of a uniform height and whether all who sat in the seats could face eastward. Between 1634 and 1635, Bridgeman repeated Neile's visitation enquiries for the diocese of Chester.⁵⁷ By 1637, however, Bridgeman was utilising the formal mechanisms of diocesan discipline to impose a Laudian model of worship upon his cure, with particular emphasis on the re-ordering and railing in of the communion table.⁵⁸ The 'conversion' of Bridgeman to the Laudian style of worship is also evident in the rhetoric of the ecclesiastical authorities and of the churchwardens and parishioners alike. In 1634, the church of Astbury (Cheshire) was found to be 'ruinous', and the 'seates . . . ununiforme and unseemly some wider and some longer than others . . . and some higher and some lower'. The bishop ordered that the seats be made 'uniform and decent and after one and the same fashion' with 'order and conveniency with due respect had to every man as possibly they might bee'.⁵⁹ Likewise, in 1634 Bridgeman found that the pews in Weaverham were not 'decent', but were 'ununiform'. He therefore ordered the repair of the pews and a commission was granted to place the parishioners in an 'orderly manner'. In 1640, the churchwardens of St. Michael's, Chester (Cheshire)

⁵⁵ Robert Halley, cited in Maltby, *Prayer Book and People*, p. 140.

⁵⁶ Quintrell, 'Lancashire Ills', p. 95.

⁵⁷ John Addy, *Sin and Society in the Seventeenth Century* (London, 1989), pp. 49-50.

⁵⁸ Maltby, *Prayer Book and People*, p. 140.

⁵⁹ CRO EDC.5 (1636), 81: Astbury.

found themselves at the centre of an investigation into the interior condition of their church. The vicar-general found the church 'ruinous', 'the anntient skreene or partition betwixt the bodie of the Church and the Chancel was . . . defaced'. In addition, the chancel seats were not 'quirewise' and the seats in the nave were not made uniform. In 1639, a complaint was made to the consistory that the new seats were narrower and 'farr more undecent' than before, and that there was 'great inequality difformitye and disproportionablenes amonge the seates'. The bishop ordered that the church conform to his injunctions and, more specifically, that the seats, which were 'doubly benched' and caused parishioners to 'irreverently turne their backes on the communion Table', were to be made uniform. And finally, the practice whereby the parishioners received the 'holy and blessed Communion in their pewes' was to cease. The congregation were thereafter required to receive communion at the rail or 'inclosure' before the communion table, and all were required to go in 'rancke . . . according to there quality and condicion'.⁶⁰ Uniformity, reverence and order reverberated in these orders from the church hierarchy regarding the condition and placement of pews. The concerns over pews were specifically related to the centrality of the altar to Laudians, and to the importance of outward gestures of reverence on the part of the laity.

The language of parishioners and churchwardens throughout the 1620s and 1630s echoed with these nuances of beauty and order. In 1623 the churchwardens of Rochdale (Lancashire) alleged that Edward Pulgell erected a seat in the chancel without the authority of the bishop, and to the 'greate disgrace both of Church and Chancell and to the greate disbeautifying' of the chancel and 'wronge to the Parson and vicare'. At the previous visitation, the churchwardens had been ordered to remove the offending seats and others that were 'not uniforme and cause the . . .

⁶⁰ EDC.5 (1639), 9: Chester, St. Michael; CRO EDC.5 (1640), 60: Chester, St. Michael.

Chancell to be seated by the sides thereof decently . . . as becometh the house of prayer'.⁶¹ In 1629, the 'pryme men' of the chapel of Littleborough (Lancashire) ordered that all those that had seats in the chancel should erect seats in the alleys before the ends of their pews in order to accommodate their 'eldest sonnes and to disburden the . . . middle Chancell'. After the work was completed, the churchwarden 'conceaved [the seats] to bee more uniforme and decent then the former seates' and he accordingly presented them to the bishop for confirmation.⁶² Where once the terms 'decent', 'orderly', 'comely', had been neutral terms to describe the interior décor of churches, in the 1630s these terms became loaded with meaning. The power of these terms was not lost in the localities, where parishioners justified presentments or indeed, their own claims to a pew in these terms. In this manner, in 1637, Robert Mawdesley petitioned for the right to erect a 'decent pew' in a 'vacant place' in Eccleston church (Cheshire).⁶³ In 1638 the churchwardens of Ashton-under-Lyne (Cheshire) brought a suit against John Sandiford for building a pew in the church alleging that it was 'not uniform . . . built to[o] high, and of a contrary fashion to the Rest . . . and it is too large, and is couched or seated about, and that it doth hinder them that sit neare below it from beholding the Communion Table', and that it encroached upon the alley.⁶⁴ On a seat that had been made uniform at Colne (Lancashire) in 1637, sconces of wainscot were allegedly set up for the 'greater grace of the Church and for keeping off the cold winde'. However, in 1637, James Wood complained that the uniformed seats were made of 'rotten timber and full of mortice holes'. He further lamented that the seats were 'very unhannesomely and not uniformly made', and that some were double seats on which

⁶¹ CRO EDC.5 (1623), 51: Rochdale.

⁶² CRO EDC.5 (1629), 7: Littleborough.

⁶³ CRO EDC.5 (1637), 113: Eccleston.

⁶⁴ CRO EDC.5 (1638), 142: Ashton-under-Lyne.

some of the parishioners faced ‘downe the church and there backes towards ye Communion table’. Wood felt it would be ‘farre more decent and handsome and uniforme’ if the seats were made into single pews.⁶⁵ The languages of decency and uniformity had therefore become fused with ideological controversies in the localities.

IV

Local Customary Culture

Diarmaid MacCulloch has argued that

it is likely that Archbishops Laud and Neile aroused such hostility in their campaigns for church restoration not because they were stirring up previously inactive church officers to save tottering and neglected fabrics, but precisely because they interfered with recently completed schemes for refurnishing and restoration.⁶⁶

Likewise, Andrew Foster’s survey of a large number of churchwardens’ accounts has revealed considerable evidence of church restoration work prior to 1625. The evidence from the ecclesiastical records examined here confirms this trend. However, Foster further argued that the policies pursued in the 1630s caused local resentment for a variety of reasons, including ideological and fiscal issues.⁶⁷ Indeed, there were other explanations for the conflicts that arose between the central ecclesiastical authorities and the parishes. The following discussion will consider the manner in which Caroline innovations were bound to collide with local customary

⁶⁵ CRO EDC.5 (1637), 25: Colne.

⁶⁶ Diarmaid MacCulloch, ‘The myth of the English Reformation’, *Journal of British Studies*, 30 (1991), p. 13.

⁶⁷ Andrew Foster, ‘Churchwardens’ accounts of early modern England and Wales: some problems to note, but much to be gained’, in Katherine L. French, Gary G. Gibbs and Beat A. Kumin (eds), *The Parish in English Life 1400-1600* (Manchester, 1997), pp. 86-93.

culture regarding the placement of pews. Alterations to the fabric of the church set in motion crises ‘over custom and convenience, seating and precedence, and the sight-lines and earshot within the performance space of the church’.⁶⁸ It is through a consideration of the language of custom and memory used by parishioners to describe the space in their churches that we can come to a clearer understanding of why Laudian policies regarding the interior ordering of churches provoked such widespread conflict and resistance.

The interior of the parish church provided an internal landscape that enshrined a vast repository of memory. The church contained numerous landmarks that furnished parishioners with their mental reference points. As we have seen, local elites, patrons and benefactors of parish churches played an important role in the ordering of parishioners in their pews. Their authority was symbolised throughout the church in private chapels, burial places and a wide range of images of status and lineage.⁶⁹ Parishioners also recognised these symbols as symbolic ‘markers’ that represented the ownership of a particular place. Gregory Man, a witness in a pew dispute from Whixley (Yorkshire, West Riding) in 1608, identified an enclosed pew as ‘Hammerton’s closet’ as he believed that the ‘armes . . . sett in glasse’ on the pew belonged to the Hammertons.⁷⁰ In the late sixteenth century, the parson of Wigan had summoned all parishioners laying claim to certain seats in the church together. Once the pews had been allocated, the names of the new owners were ‘to be sett upon . . . their pewes or buriall place’. Twenty years later, Mary Pilkington defended her right to a seat in the church on the grounds that her name had been engraved upon her seat and vault beneath it.⁷¹ In 1626, following the re-

⁶⁸ Cressy, *Travesties and Transgressions*, p. 199.

⁶⁹ See Chapter 2 above.

⁷⁰ BI CP.H 426 1608: Whixley.

⁷¹ CRO EDC.5 (1616), 43: Wigan.

ordering of the seats and pulpit at St. Oswald's, Chester, John Brooke complained that the second pew had been placed higher than it was previously, a position he claimed to know because the former place had been known to him by 'infallible markes'.⁷² In the context of the church building then, memories of the past were built upon local knowledge, which in turn gave the parish its sense of identity. This identity was based upon a sense of place that was made visible in the seating order of the church.

The removal, alteration, and deterioration of certain monuments or markers could therefore weaken or indeed directly challenge the force of that custom in the memory of parishioners. In *Townley c. Blakey* (1631), Alice Townley described the words engraved on a number of places in the church of Colne, and particularly upon 'an old and ancient bord...in the chancell'. Townley alleged that these words intimated that her ancestor, Laurence Townley, had been 'the prime and cheefe man' of the parish and a benefactor to the church. Townley was concerned that the board in question had recently been 'malitiously purloyned and taken away' or the words 'defaced or worne out', thus undermining her claim to certain seats in the church.⁷³ In 1640, Henry Orme testified that he had seen letters engraved at the end of a disputed pew in Childwall church (Lancashire). He further deposed that when the seat changed hands, the letters were 'cut-out' and replaced with the initials of the new owner, Hammet Johnson.⁷⁴ Johnson had deliberately altered the marks of ownership on the pew and had thereby redefined the social meaning of that particular space in the memory of those parishioners who testified on his behalf. It is evident from these cases that both claimants and witnesses understood the value of these signifiers of authority and place.

⁷² CRO EDC.5 (1626), 4: Chester, St. Oswald.

⁷³ CRO EDC.5 (1631), 2: Colne.

⁷⁴ CRO EDC.5 (1640), 25: Childwall.

However, these symbols were not fixed and might be subject to a number of different interpretations over time. When the seats in Wigan church were made uniform in 1670 and the 'ould long seates' made shorter, it created a problem for those involved in the re-seating of the parishioners as the gravestones were no longer directly beneath the pews of their owners. A dispute erupted between William Bankes, Lord of the Manor of Winstanley, and Robert Pennington. Gerard Bankes alleged that when the church had been made uniform, the sexton told him that the 'Coates of Armes' belonging to the Winstanleys were placed on the seats which were then in dispute. Bankes further alleged that Pennington had informed him that his arms were set in a window and the letters 'J.P.' were inscribed upon the pillar above the place where his old pews had stood. However, on a perusal of the church, Bankes found that there were a number of names and Coats of Arms in the windows that did not correspond in any way with the pews or burial places beneath them. Bankes was suspicious that the markers and emblems were not representative of the realities of the ownership of space around or beneath them. A number of the witnesses deposed that they knew and recognised the images and initials in the windows and on the pillars in the church, but confessed that they did not recognise whose they were or what they meant. Most of the deponents simply testified that they had seen one of the parties sit in the place before the seats were altered. Anne Pilkington's allegation that the letters engraved on the pillars had been coloured over with an orange wash suggests that these images were also subject to alteration, particularly when a rival claim was made.⁷⁵ These markers were not static at the parish level, but mutable in meaning and according to their context. As the markers themselves were subjected to modification by individuals, to changes to the church

⁷⁵ CRO EDC.5 (1670), 138: Wigan.

fabric, or to the erosion of time, so the symbols of place and their shared meanings altered in the memories of parishioners.

The traditions and customs regarding the ordering of the church were also understood as the ‘common voice’ of the parish. This term, denoting a common assumption of rights, time out of mind, not only had legal force but also defined collective memory. The common voice of a parish could therefore express the solidarity of a community, or at least a certain section of it. Thus the ownership of a pew at Astbury was claimed on the grounds that there was a ‘publick and common voice and fame, and a generall report’ time out of mind that the seat belonged to the plaintiff, and that ‘anncient people of the . . . parish . . . have upon severall occassions affirmed the same’.⁷⁶ A pew in Great Budworth (Cheshire) in 1628 was alleged by James Wood to belong to George Massey. This he claimed was the ‘common report’ and ‘undoubted opinion’ of the parish.⁷⁷ In 1663, a deponent described a seat in the church at Leek (Staffordshire) as ‘commonlie called and knowne by the name of Westwood seate’.⁷⁸ Naming a seat, by definition, seemed to confirm local memory. Thus at Wakefield in 1663 Edward Smith testified on the part of the plaintiffs that he had heard his father and ‘divers other ancient persons’ affirm that the seat in controversy was called ‘Cudworths Stall’ indicating that it had belonged to the plaintiff’s predecessors.⁷⁹ At times the visual markers of ownership reinforced the naming of a particular seat. When Richard Harland defended his title to a seat in the church of Sutton on the Forest (Yorkshire, North Riding) in 1634, he claimed it in both right of his house built by one Captain Barwicke, and because the

⁷⁶ CRO EDC.5 (1631), 90: Astbury.

⁷⁷ CRO EDC.5 (1629), 10: Great Budworth.

⁷⁸ LRO B/C/5 1663: Leek.

⁷⁹ BI CP. H 5496 1663: Wakefield.

seat itself was called ‘Captain Barwickes Stall . . . a divers and distincte stall’.⁸⁰ However, the ‘common voice’ of a place in the church was not always coherent or unanimous. At times there might not even be a ‘common voice’, but only ‘a babble of conflicting opinions’.⁸¹ It was not only that memory was imprecise, but also that the span of time altered the understanding of the words parishioners had been employed to convey the meaning of a particular space in the church. At Little Budworth in 1603, a disputed seat had allegedly been called ‘John Baylie his forme’ and later, ‘Billingtons forme’. Other witnesses called it ‘the baylies forme’ and ‘Dodes forme’. The problem was that there was confusion as to whether ‘the baylies forme’ referred to John Baylie or the bailiff of Budworth Manor.⁸² Indeed, seats could change owner so many times that it was difficult for linguistic descriptions to keep pace. During a pew dispute at Dodleston (Cheshire) in 1607 Katherine Forman testified that the seat in controversy had been called a number of names, specifically ‘Johnsons forme’ and ‘howells forme’ in the time that she had known it.⁸³ Parishioners clearly recognised the importance of memory in asserting that a practice was customary. As we have seen, this knowledge could be used to show that seats had been used customarily, time out of mind, whilst discordant voices suggested the ‘custom’ itself could be quite recent, mutable, and even newly created.

Andy Wood has argued that memory was a ‘normative, moral force which imposed duties of maintenance and transmission’.⁸⁴ The ‘countryman’ in a dialogue of 1608 stated that ‘we old men are old chronicles and when our tongues go they are not only clocks to tell only the time present, but large books unclasped, and our

⁸⁰ BI CP. H 2006 1634: Sutton on the Forest.

⁸¹ Andy Wood, *The Politics of Social Conflict: The Peak Country, 1520-1770* (Cambridge, 1999), p. 134.

⁸² CRO EDC.5 (1603), 45: Little Budworth.

⁸³ CRO EDC.5 (1607), 37: Dodleston.

⁸⁴ Andy Wood, ‘Custom and the Social Organisation of Writing in Early Modern England’, *Transactions of the Royal Historical Society*, 6th Series, 9 (1999), p. 261.

speeches like leaves turned over and over, discover wonders long since passed'.⁸⁵ As 'chronicles', the aged were expected to pass on their memories to the young. In doing this, the elderly were active in the maintenance of the common voice. The importance of the role played by the elderly members of the community in the ordering of the church was evident in the statements of witnesses in pew disputes. Deponents spoke in terms of the words and actions of the aged, and in particular (though not exclusively), of aged men. In 1629 it was alleged that when Mrs. Ratcliffe had arrived in the parish of Wakefield she went to the church^{to} ask if she or her tenants had a seat allocated to them. In response 'divers ancient men' assembled and informed her of where her predecessors had sat.⁸⁶ Likewise, John Eastwood of Kirkburton alleged in 1638 that he had heard his father, an 'ancient inhabitant', affirm that the 'ancient lawdable Custom . . . inviolably used and observed' in the chapelry regarding the placement of seats had been used all his lifetime.⁸⁷ Likewise Laurence Smith alleged in a pew dispute from Hutton Wandesley (Yorkshire, North Riding) in 1684 that he had heard 'old people' describe the interior ordering of the church. Likewise, Ingram Alderson alleged that he had heard his 'wives mother' describe the same.⁸⁸ At Ashton-upon-Mersey (Cheshire) in 1631 deponents cited 'ancient folke' and an 'Anntient Man' as the source of their evidence.⁸⁹ At Kirk Ireton (Derbyshire) in 1627, Thomas Maddock an eighty year old deponent testified concerning the ownership of a seat on the basis that he had heard two local men 'who were very old' confirm something he had heard his father say 'a hundred times'. Agnes Wetten, a seventy-seven year old widow claimed that her husband and 'other then verie old men' say that the pew in question belonged to Richard

⁸⁵ Cited in Adam Fox, 'Remembering the Past in Early Modern England: Oral and Written Tradition', *Transactions of the Royal Historical Society*, 6th Series, 9 (1999), p. 239.

⁸⁶ BI CP. H 1817 1629: Wakefield.

⁸⁷ BI CP. H 2263: 1638: Kirkburton.

⁸⁸ BI CP. H 4100 1684: Hutton Wandesley.

⁸⁹ CRO EDC.5 (1631), 3: Ashton-upon-Mersey.

Maddocke.⁹⁰ The ‘memory of man’ reached even beyond direct experience and into the realms of inherited tradition, extending back for several generations, in some cases over a century or more.

The occupation of particular pews was also recognised in local customs that might find expression in *written* traditions. During a dispute at St. Oswald’s, Chester in 1628, witnesses suggested that alterations to the church seating had been recorded in a ‘certen booke for that and other publicke uses of that parishe’. When William Fisher, a former churchwarden, attempted to recall where he had placed parishioners in 1608, he was unable to, ‘butt referreth himself to the churchbooke’. Two other witnesses in this case similarly referred themselves to the book ‘for more certenty of particulars’.⁹¹ Likewise, at St. Michael’s, Chester, the details of taxes and pew payments were recorded in the parish book, and the respondents were continually ‘referring themselves to the churchbooke’.⁹² At Prestbury (Cheshire) in 1628 a pew list was produced during a pew dispute to help determine where Thomas Leigh had been allocated a seat.⁹³ In 1624, the churchwardens of St. Oswald’s, Chester realised that the seats in the church were not ordered appropriately according to social status when ‘the drought or Mapp of the seates . . . was vewed’.⁹⁴ Indeed, this plan was not only designed be a regular check to the appropriate ordering of pews, but it was also hoped that it would bring a swift conclusion to the quarrels over seats in church. Accordingly, during a pew dispute at St. Oswald’s in 1630, ‘old cards or mapps of seats’ were used to help decide the ownership of the pew in controversy. However, the church book itself was not as useful as it only noted the ‘totall’ pew rents received for placing the parishioners, ‘but not the names of whome they receaved

⁹⁰ LRO B/C/5 1627: Kirk Ireton.

⁹¹ CRO EDC.5 (1628), 2: Chester, St. Oswald.

⁹² CRO EDC.5 (1629), 29: Chester, St. Michael.

⁹³ CRO EDC.5 (1628), 19: Prestbury.

⁹⁴ CRO EDC .5 (1630), 1: Chester, St. Oswald.

the same'. A pew list of Darwen (Lancashire) was also exhibited in *Walton c. Osbadeston* (1637) in order to help determine the owner of the disputed pew.⁹⁵ During a pew dispute at Whitchurch (Shropshire) in 1602, it was alleged that the churchwardens had recorded the 'yearely rente' for church seats. Thomas Penstone, a witness on behalf of the plaintiff in the suit alleged that 'yt appeareth by the register booke' that both parties had paid jointly for the seat in controversy he therefore concluded that the ownership of the pew was a shared one.⁹⁶ There was a sense in which the fluid and shifting order of seats was given a sense of permanence by the writing down of pew lists and the drawing of pew maps and plans. This was particularly evident following the 'newe seatinge' at Tilston (Cheshire) in 1607 where 'a mappe' was 'made and taken of the order how the parishioners had bine formerly placed and so to continue'. The plan was subsequently used as evidence in a pew dispute in 1623.⁹⁷ The massive increase in the production of documents and manuscripts alongside the printing of books and pamphlets in our period undoubtedly helped to provide a mentality that valued this fixity over the mutability of speech.

On the basis of this evidence, and the increasing tendency for the central courts to favour written testimony over oral, it is possible to argue that writing was a source of power in early modern England. However, written pew lists and pew plans did not necessarily undermine memory and oral tradition. Rather, in an age where literacy levels were limited and popular culture largely parochial, writing might supplement and complement the vernacular.⁹⁸ A number of cases suggest that orality and literacy were indeed entwined in the experience of parishioners. In a dispute

⁹⁵ CRO EDC.5 (1637), 22: Darwen.

⁹⁶ LRO B/C/5 1602: Whitchurch.

⁹⁷ CRO EDC.5 (1623), 36: Tilston.

⁹⁸ Fox, 'Remembering the Past in Early Modern England', p. 256.

from Leeds (Yorkshire, West Riding) in 1633, William Fearnley, alleged that when the churchwardens had allocated the disputed seat, it had been registered 'in the Register booke . . . and doth there remaine upon record'. This combination of written and oral testimony was also evident in a dispute over a pew claimed by the mayor of Congleton (Cheshire) in 1611. A deponent summoned on behalf of the mayor produced an 'ancienne note' which he claimed confirmed an agreement reached by the mayor and the 'comonality' to re-edify an 'ould pew'. However, another deponent allegedly that the seat had been commonly called 'Moretons pewe' and therefore could not belong to the mayor.⁹⁹ Conversely, Abraham Jenkinson recollected that the seat had been commonly called 'William Matthews stall of the Broadyeales', indicating that he believed that it had belonged to the grandfather of the plaintiff, John Matthews.¹⁰⁰ Likewise at St. Mary's, Beverley (Yorkshire, East Riding) in 1639 a former churchwarden, Thomas Tutinge, was unable to recall the details of how he assigned seats in the church. However, he alleged that the minister and the churchwardens 'did by an assignement in writing' allocate seats to the inhabitants. Marmeduke Shillitoe refuted Tutinge's claim, stating that when he had been churchwarden in 1633, the seats were allocated 'some tymes by writing (if it were desired) and other some tymes by wordes'. He further alleged that since that time there had been many 'writings' and 'remembring' of pew assignments.¹⁰¹ Andy Wood has argued that this 'contradictory dynamism which developed between writing, speech and custom' was most keenly felt in the early modern period 'as oral and literate cultures twisted ever more closely into one another'.¹⁰²

⁹⁹ CRO EDC.5 (1611), 13: Congleton.

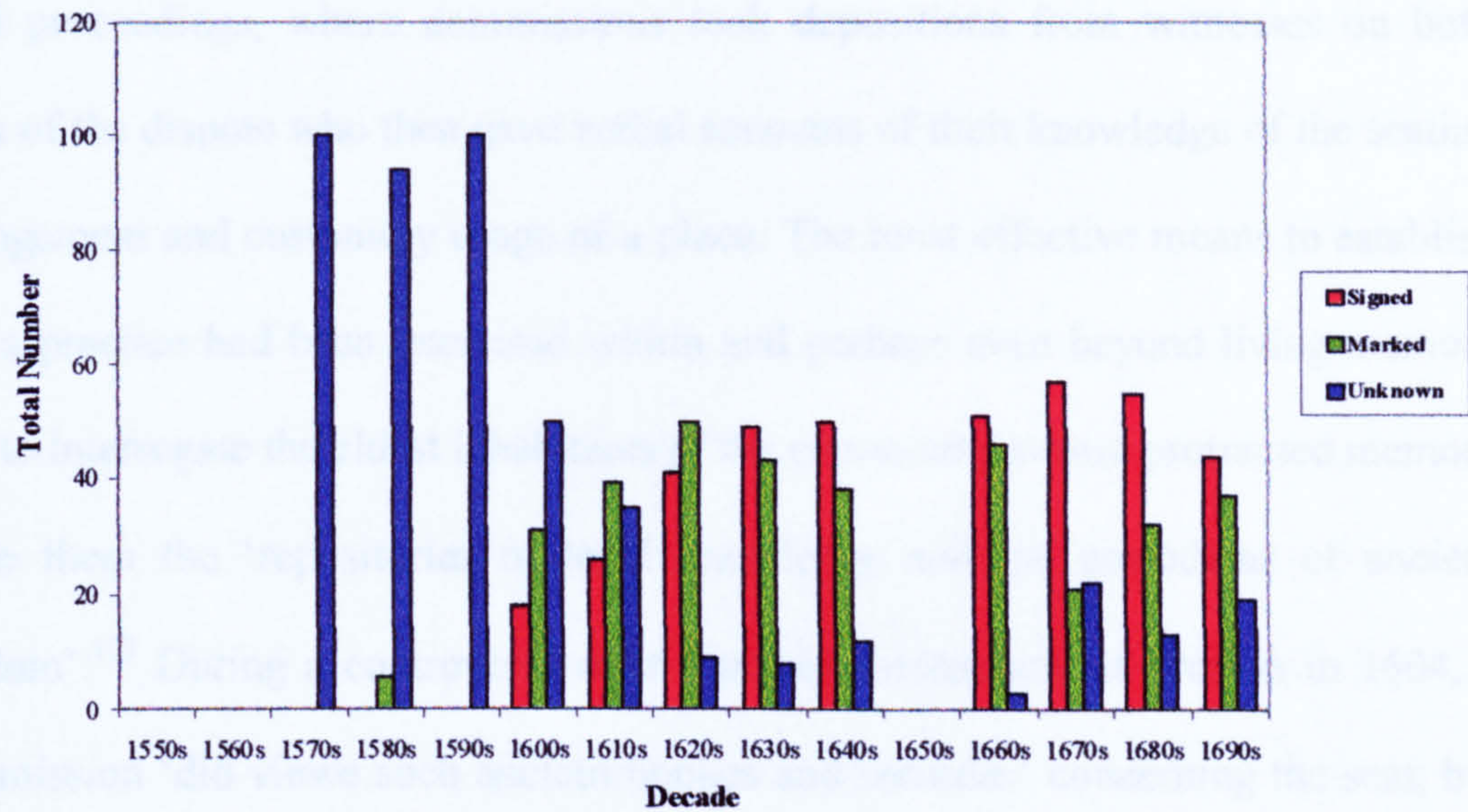
¹⁰⁰ BI CP. H 1987 1633: Leeds.

¹⁰¹ BI CP. H 2576 1639: Beverley, St. Mary.

¹⁰² Wood, 'Custom and the Social Organisation of Writing', p. 259.

The custom of the parish regarding the ordering of the seats was therefore stored both in the imaginations of the parishioners and in the pages of churchwardens' accounts and parish registers. This is suggestive of the close but

Figure 5.1: The Functional Illiteracy of Deponents in Pew Disputes in Three Jurisdictions, c. 1550-1699



Source: CRO EDC.5; LRO B/C/5; BI Various.

ambiguous relationship between the oral and written transmission of evidence in what was a ‘partially literate’ society. Indeed, of the 1701 deponents in four jurisdictions (that is, the full depositional sample discussed in chapter four above, excluding the star chamber cases where the identification of functional illiteracy is problematic), only 756 (44 percent) signed their testimony, indicating a functional illiteracy rate as high as 56 percent. The deponents were, however, becoming more literate over time (see Figure 5.1 above). This improvement in literacy was most marked amongst male deponents. Whereas 41 percent of those who gave evidence in the period 1600-49 were functionally illiterate, this figure dropped to 24 percent in the second half of the century. Not only there was there no corresponding improvement for women, but the functional illiteracy of female deponents actually

increased from 59 percent to 65 percent over the same period. The residual significance of oral testimony is, however, emphasised by the fact that of all non-gentle deponents who gave evidence in the period 1650-99, 45 percent were still unable to sign their names.

The importance of oral testimony was evident at a particular stage in the legal proceedings, where commissions took depositions from witnesses on both sides of the dispute who then gave verbal accounts of their knowledge of the seating arrangement and customary usage of a place. The most effective means to establish that a practice had been exercised within and perhaps even beyond living memory was to interrogate the eldest inhabitants of the community whose protracted memory made them the 'repositories of local knowledge and the custodians of ancient wisdom'.¹⁰³ During a controversy over a newly erected seat at Preston in 1604, a commission 'did viewe such ancient bookes and recordes' concerning the seat, but they also 'examined dyvers and sunderie Aged persons of everie mans place and Roome within said Church'. Indeed, the commission's final decision was made on the basis of 'both . . . the said Recordes and examinacons'.¹⁰⁴ Likewise, a commission to decide a pew dispute at Stanton in 1612 examined a number of Key witnesses, and others 'beinge all ancient inhabitanntes within the parishe and verie olde people'.¹⁰⁵ As we have seen, 42 percent of the deponents in our sample were aged more than 60 years, and almost two-thirds (62 percent) more than 50. They were also predominantly male and of middling status. Depositions therefore suggest that the customary organisation of the space in the church were the preserve of the settled, male members of the parish.

¹⁰³ Fox, 'Custom, Memory and the Authority of Writing', p. 97.

¹⁰⁴ CRO EDC.5 (1604), 29: Preston.

¹⁰⁵ LRO B/C/5 1612: Stanton.

Therefore, pew lists and plans defined the custom of the parish as described by men, and in particular, the 'better sort' or the 'most substantial'. In the production of these documents, it was not only the seating plan of the church that was re-ordered and redefined, but also the memories on which its creation had depended. In this respect, pew plans froze a fluid set of relations, imposing a rigidity and homogeneity upon the custom of pew allocation in a particular parish. As we shall see, this had significant ramifications for the future. The pew plan represented a complex web of local political interests 'in which the rendering of custom into writing represented not necessarily the domination of literacy over orality, or elite over plebian interest, but rather a formal balance of power at one given moment'.¹⁰⁶ This was not a definitive statement of permanent rights and could be challenged by the memory of others and the discovery of fraud. In a pew dispute from St. Michael's, Chester in 1639, witnesses and the parties referred themselves to entries made in the church book for payments for seats. However, the interrogatories enquired whether the curate or churchwardens might have been able to 'score out' some of these insertions. Henry Harper was similarly concerned that the churchwardens had forged a grant for the seat in question and that none should be able to 'meddle' with the church book.¹⁰⁷ During a dispute in Heanor in 1620, the '16 men' petitioned the bishop claiming that a note in their book used to record the placing of parishioners dated 1604 had been falsified and written without their authority.¹⁰⁸ Indeed, contemporaries frankly recognised that documents could be counterfeited or drawn up under false pretences. Nevertheless, pew plans were clearly intended to remain as a record and to reach into the future.

¹⁰⁶ Wood, 'Custom and the Social Organisation of Writing', p. 265.

¹⁰⁷ CRO EDC.5 (1639), 9: Chester, St. Michael.

¹⁰⁸ LRO B/C/5 1620: Heanor.

The process by which the illiterate were gradually being excluded from an increasingly literate popular culture was long, slow and uneven. During the sixteenth and seventeenth centuries orality and literacy ‘overlapped and interacted in reciprocal and mutually enforcing ways’, acting together to ‘define remembrance and custom, and to strengthen local identities’.¹⁰⁹ In this way, visual, oral, and written descriptions testified to the ownership of seats, their position in the church in relation to other seats and to the foci of worship. These descriptions all contributed to a powerful, customary sense of the rights, privileges and status of parishioners. The internal geography of the church was remembered and perpetuated by these markers and became embedded within local knowledge.

The impact of the upheavals of the 1630s upon the arrangement of churches disrupted this ‘mental map’, and upset the local customary order.¹¹⁰ A case from Austrey (Warwickshire) demonstrates that as early as the 1590s the systematic re-seating of churches could be a complex affair. In the 1590s, a number of the parishioners ‘did alter and change their seates’ with the consent of the consistory. However, as the custom of the parish had been for parishioners to sit in seats allocated to their houses, problems arose when it was discovered that ‘divers of the . . . parish . . . doe not sitt or kneele in the seates wherein their predecessors did sitt or kneele’.¹¹¹ Accordingly, when the reorganisation of space in churches occurred on a large scale, disputes were almost inevitable. Keith Wrightson has suggested that the defence of custom was “quintessentially local politics” . . . It could mobilise whole communities, or sections of them, with a conviction of their rectitude in disputing power, and to those involved their causes might seem

¹⁰⁹ Fox, ‘Custom, Memory and the Authority of Writing’, p. 256; Wood, ‘Custom and the Social Organisation of Writing’, p. 268.

¹¹⁰ The term ‘mental map’ is from John Walter, “‘A Rising of the People’? The Oxfordshire Rising of 1596’, *Past and Present*, 107 (1985), p. 109.

¹¹¹ LRO B/C/5 1608: Austrey.

“as dramatic and important as the struggle against arbitrary . . . power within the national body politic”.¹¹²

The challenge to custom that the Laudian changes represented did indeed mobilise local communities against the reforming tendencies of an arbitrary power.

V

Conflict and Resolution

In spite of the evidence for some local sympathy with the accoutrements of the Laudian style of worship, and the use of the rhetoric of order and decency to applaud the alteration of churches, Laudians were themselves conscious of the controversy their church seating policies might entail. In 1635, Richard Neile wrote to Bridgeman, advising him against his plan to separate the sexes and suggesting caution in placing parishioners in recently refurbished churches:

But for the rest of your intentions for the disposing of the seats, as to sitt the men on the one side of the Church and the weomen on the other side, otherwise then in times past hath been used, or to remoove any from the place where they and their ancesters have time out of mind accustomed to sitt, will beget more brabbles, suits in law & prohibitions, then either you or I would be contented to be trouble[d] with.¹¹³

Neile's concerns were not misplaced. Despite suggestions that Laudianism might have enjoyed popular appeal, and even allowing for the fact that the evidence considered here is derived from an archive of complaint, the explosion of 'brabbles' over church seating in the 1630s suggests that innovation provoked community

¹¹² Keith Wrightson (quoting J. Bohstedt and Andy Wood), 'The Politics of the Parish in Early Modern England', in Paul Griffiths, Adam Fox and Steve Hindle (eds), *The Experience of Authority in Early Modern England* (London, 1996), p. 24.

¹¹³ Cited in Maltby, *Prayer Book and People*, p. 139n.

conflict. Regardless of Laudian claims to be reviving ‘ancient and laudable custom’, changes were resented, even detested, in the parishes.

Modifying the shape and size of pews ultimately altered the position of parishioners in relation to each other and to the ritual space in the church. In effect, by restructuring the interiors of churches, Laudians destroyed the organisational focus for local memory. In 1634 ~~the~~ Bridgeman ordered that the seats at Colne be made ‘decent and uniform’, and the churchwardens accordingly made the necessary alterations. However, the new forms took up more space than the old ones. By 1636, complaints arose that in each row of seats, there were ‘one or two roomes lost’.¹¹⁴ Likewise, in 1631, following the ‘alteracion of seats’ at Astbury, a complaint was brought to the consistory that the pews had been ‘soe narrowed and lessened that now seaven persons cannot with ease and conveniencie sitt and kneel therein’.¹¹⁵ Following the Metropolitan visitation of the Archbishop of York in 1633, the seats at Nantwich (Cheshire) were made shorter and narrower in order to make the aisles of the church ‘fayrer’. However, because the seats no longer held as many parishioners as previously, the entire seating order had to be reconsidered. Indeed, in 1636, Henry Wicksteed complained that he had lost his ancient place in the church in this process.¹¹⁶ Other prominent parishioners, for example, Sir Ralph Ashton of Middleton (Lancashire), complained that their pews were smaller than previously, their places taken up by furniture that had been relocated.¹¹⁷ In other cases, general alterations in the church moved some seats from their prominent place next to the pulpit. In 1639 Sir Ranulph Crewe complained about the position of his seat at Holy Trinity, Chester following the refurbishment of the church. Crewe was particularly

¹¹⁴ CRO EDC.5 (1636), 39: Colne.

¹¹⁵ CRO EDC.5 (1631), 90: Astbury.

¹¹⁶ CRO EDC.5 (1636), 11: Nantwich.

¹¹⁷ CRO EDC.5 (1637), 48: Middleton.

perturbed as he had paid more towards the rate 'lately imposed for the beautifying of the church', and the 'uniformeing and altering of seats'. However, the churchwardens' defence stated that they believed that Crewe could see and hear as well as he could before the alterations and that his seat was 'not much further distant from the pulpit and Minister's desk'.¹¹⁸ To Crewe, at least, his prominent position in the church was still defined by his proximity to the pulpit. By enforcing the uniformity of seats on churches the ecclesiastical hierarchy levelled the boundaries of the social order crystallised over decades and forced local hierarchies to reconstruct that order without the symbols or ornaments that had distinguished one pew from another in the 'remembrance' of the parishioners. Even plans and maps lost some of their resilience, as lines drawn on parchment barely resembled the new seats or internal restructuring of churches. As we have seen, changes on the scale created by the Laudian campaigns for uniformity left even the powerful vulnerable to the loss of their pews in the church. Indeed, it left almost every parishioner vulnerable to incursions into their seats and their place in the visual representation of the social order.

Time and again, Laudians legitimated alterations in the fabric of the church that might otherwise appear to be innovations on the basis that they were part of inherited tradition. The separation of the sexes, the insistence on uniformity of pews, and the rights of the ordinary, they insisted, all had precedents.¹¹⁹ Despite their claims to tradition, Laudian policies concerning the rearrangement of church furnishings by definition imposed the centralised authority of the episcopate and intruded upon local customs. Churches that were made uniform were required to show their conformity with maps or lists of the new seating order. The result was

¹¹⁸ CRO EDC.5 (1639), 20: Chester, Holy Trinity.

¹¹⁹ Dillow, 'Church-Seating Arrangements', pp. 170-1.

that congregations were often disorientated, and only new pew plans could restore their sense of place. When the chapel of Holmfirth (Yorkshire, West Riding) was enlarged and repaired in 1635, 'fewe or none of the Inhabitanes . . . doe know their proper seate'. Accordingly, the ordinary granted a commission to place the inhabitants and thereafter to return a plan of their decision for him to confirm.¹²⁰ Likewise when the church of Kirkburton was altered in 1638, and the number of pews increased, the commissioners certified a 'platt forme or modle of the said chappell'.¹²¹ When the church of Marbury (Cheshire) was re-ordered, the commissioners drew up a 'plattforme or Modell' of the alterations.¹²² Written records were superimposed upon the hybrid customs of individual parishes, undermining for a time the traditional relationship between orality, literacy and memory in the ordering of the space in church. Indeed, as we shall see, these plans were to gain an almost iconic significance in the Restoration period.

However, these measures met with both the active and passive resistance of churchwardens and parishioners alike.¹²³ This resistance was particularly evident in Chester, where Bridgeman pursued a rigorous campaign for the uniformity of seats in the 1630s. Some of the churchwardens of Preston (Lancashire), for instance, preferred to risk presentment than face the wrath of their parishioners. An order to make the seats of Preston church 'decent' in 1635 was not carried out to the satisfaction of the bishop, as one particular seat had not been made uniform. The bishop ordered that the seat be 'cast out' and replaced with three uniform seats. However, this resulted in the presentments by two churchwardens of four of their fellows who 'denied their Assistance . . . And saied they would not medle with it nor

¹²⁰ BI REG. 32 f94 Ar. 1635: Holmfirth.

¹²¹ BI CP.H 2261 1638: Kirkburton.

¹²² CRO EDC.5 (1671), 23: Marbury.

¹²³ See also, Dillow, 'Church-Seating Arrangements', pp. 182-7.

durst they medle with it'.¹²⁴ The churchwardens may have used this as an excuse to thwart the central authorities, but other evidence suggests that conflict over pews was a significant cause for concern. Significantly, office and visitation cases specifically relating to changes in the ordering of the fabric rose from 28.5 per cent of the total in the 1620s to 61 per cent in the 1630s. Instance disputes provoked by alterations to the interior of churches rose from eight per cent of the total in the 1620s to 26 per cent in the 1630s.¹²⁵ The measures to ensure order and uniformity opened up old and unsettled animosities between parishioners. Furthermore, the intricacies of the law relating to pews were further confused by the internal re-ordering of churches, which in turn caused new and perplexing conflicts between parishioners.

The conflicts that arose as a result of changes in the fabric of the church were evident in a number of jurisdictions during this period. Following the alteration of seats at Clitheroe (Lancashire) in 1641, it was alleged that there was 'some variance strife and contention' between Mrs. Aston and Raphe Avison over a seat on the west side of the church.¹²⁶ Similarly, in 1626, after the pulpit at St. Oswald's, Chester had been moved to a more suitable position in the church and the seats had been altered, a dispute arose between John Hall and John Brooke concerning their newly assigned places. As a result of the re-ordering and of the dispute itself, a number of prominent parishioners found themselves 'referring . . . to the booke, for more certenty of particulars'.¹²⁷ Similar disputes arose at Chipping (Lancashire) in 1635, at Wigan (Lancashire) in 1635 and at Wrenbury (Cheshire) in 1636.¹²⁸ Parishioners also chose

¹²⁴ CRO EDC.5 (1635), 7: Preston.

¹²⁵ Catherine Wright, 'Order, Conflict and Revenue: Church Seating Arrangements in the English Parish, c. 1550-1700' (Unpublished MA Dissertation, Warwick, 1998), pp. 40-1.

¹²⁶ CRO EDC.5 (1641), 19: Clitheroe. A suit was also commenced over a seat on the north side of the church.

¹²⁷ CRO EDC.5 (1626), 4: Chester, St. Oswald; CRO EDC.5 (1628), 2: Chester, St. Oswald.

¹²⁸ CRO EDC.5 (1635), 75: Chipping; CRO EDC.5 (1635), 99: Wigan; CRO EDC.5 (1636), 21:

to express their distaste for the alteration of their churches by non-payment of their rates. When the seats at Astbury were made 'uniform and decent', they were considered by the church hierarchy to be 'very seemely and well fashioned . . . and . . . adorne and beautifie the church'. When Edward Drakeford refused to pay his share of the refurbishment, violating the order of the bishop, he was accordingly warned by the consistory that he endangered his soul with the 'hindrance of the adorneing and beautifying of the house of God'.¹²⁹ Likewise, when Margaret Gorst refused to pay her share of the cost of the refurbishments, it was, according to the court, to the 'disturbance of the peace and tranquility of the church the breach of your faith and promis[e] to your Neighbours the hindrance of soe good a work in adorneing the house of god'.¹³⁰ The ecclesiastical hierarchy were resolute in their warnings to individuals of the spiritual cost of their outward gestures of defiance.

The concerns of episcopate also resulted in conflict between themselves and parochial hierarchies. In 1627 the Bishop of Chester enjoined the churchwardens of Leyland (Lancashire) to 'flagg the church . . . and uniforme seates'. However, they claimed that the 'Primarie men of the parish' had prevented them.¹³¹ The churchwardens of Warrington (Lancashire) were cited to appear in the consistory in 1631 for making false presentments concerning the faults in their church. Contrary to their claims, it was alleged that the church was not 'uniformly seated' and that Thomas Ireland, the impropriator of the tithes, had erected a pew 'in the manner of a scaffold standing upon posts or pillars of wood and it looks over the congregation

Wrenbury.

¹²⁹ CRO EDC.5 (1636), 81: Astbury.

¹³⁰ CRO EDC.5 (1636), 116: Weaverham.

¹³¹ CRO EDC.5 (1627), 15: Leyland.

and the parson in the pulpit'.¹³² In 1635, the churchwardens of Prescott (Lancashire) were presented for failing to complete the uniforming of the seats in the nave.¹³³

Although concerns for greater uniformity and decency lay at the heart of Laudian reforms, Kevin Dillow has suggested that the jurisdictional reassertion of episcopal control over seating was a significant motivating factor. That this was not lost on parochial authorities is evident in a pew dispute from Polesworth (Warwickshire) in 1637. In *Corbin vs. Reeve* (1637), the vicar of Polesworth, Thomas Mill, agreed to give evidence before the consistory court. However, on the Sunday following the parties' appearance at court, upon 'usurped authoritie' and in direct conflict with the Bishop's order, Mill allegedly placed Mrs. Reeve in the pew in controversy in return for a gratuity. It was further alleged that in his Sunday sermon, Mill did 'inveigh againste sundry men and weomen of worth, that were present before us, and came upon the part of . . . Mrs Corbin', saying that 'although they come together and brave it like roaring boyes and spit their venome, and although those damned hellhounds barke at us, and pincerd knaves speake aganse us, yet God will reward them and their end wilbe desperate'. Mill's actions earned him a summons to appear before the consistory court the following week. At that time, Mill 'burst forth' in 'a greate heate and furie' and defended his actions on the previous Sunday by claiming that 'yow were a Bishop within your owne parish, and had power to place and displace people in seates at your pleasure'.¹³⁴

Tensions such as these were evident in a number of cases. In York, the case of *office c. Haber* (1635) brought by Neile himself 'has every appearance of being a test case, designed to assert the archbishop's power of ordering churches'. The pew in question was built in 1633 after Neile's primary visitation, and it was very large

¹³² CRO EDC.5 (1631), 15: Warrington.

¹³³ CRO EDC.5 (1635), 90: Prescott.

¹³⁴ LRO B/C/5 1637: Polesworth.

and ornate, and decorated with 'mottoes' and the names of Haber and his wife. The case itself rested upon three key allegations. The first related to the canons of 1604, which specified that pews should be comely and uniform. The second allegation related to the ordinary's right to confirm all pews newly built in his diocese. Thirdly, the prosecution alleged that the pew hindered what others could see and hear of divine service. In this case, Neile reasserted the church's authority over the individual, and his own authority over that of the churchwardens.¹³⁵ Likewise, when Laud hounded the churchwardens of St. Austin's and St. Leonard's (London) in 1632, it was not only prompted by concerns for decency, but also because the churchwardens had 'scorned and slighted' the bishop.¹³⁶ Indeed, Laud went so far as to write to the President of the Council in the Marches in 1637 to ask him to cease interfering with the regulation of a seat in the diocese of Bangor.¹³⁷ The reassertion of episcopal control over seating was of prime importance in both Laud's and Neile's decision to pursue these cases.

Parish hierarchies, particularly in the diocese of Chester, fought to retain control over the allocation of seats and may even have believed that there was little wrong either with the pews themselves or with the manner in which they were ordered. They also recognised the potential for conflict inherent in the alterations. Parishioners threatened by the removal of their seat or concerned about the placement of their pews, some of which were recently erected or newly decorated to reflect the status of their owner, protested by refusing to pay for the charges and by suing the churchwardens in the ecclesiastical courts. Pews were not simply objects to sit on, or materials from which to view the mysteries of divine service. Like the

¹³⁵ Ronald A. Marchant, *The Church under the Law: Justice, Administration and Discipline in the Diocese of York, 1560-1640* (Cambridge, 1969), pp. 77-8.

¹³⁶ Dillow, 'Church-Seating Arrangements', p. 182.

¹³⁷ Dillow, 'Church-Seating Arrangements', p. 182.

accoutrements of worship so cherished by the Laudians, church seats were infused with both religious and secular meanings that directly shaped notions of honour, status, community and custom.

VI

Restoration Aftershocks

The 1660s represent the only other period where a large number of seating enquiries were present in visitation articles. However, unlike the 1630s, these concerns were not a reflection of an agreed campaign of reform on the part of the episcopate. Indeed, as Dillow suggests, a closer inspection of the visitation articles reveals their formulaic nature and their reliance upon Wren's efforts in Ely in 1662 to give them a broad basis of concern.¹³⁸ It was only in Ely, where Wren set out a list of enquiries that included the removal of seats from the chancel, and the height of pews in general, that there is any evidence of a concerted campaign to control seating. Once more, ecclesiastical interest primarily centred upon the issues of repair, dispute, and illegal erection, and even these were poorly enforced. However, the very fact that the articles for the 1660s follow the same formulae used by Wren ~~and Lancelot Andrewes~~ in the 1630s is suggestive of an attempt by the central, ecclesiastical authorities to reassert control over church seating following the upheavals of the Civil Wars. Indeed, these attempts are also evident in the rise in faculty cases from the 1660s onwards. Nevertheless, Dillow has argued that by the 1660s, pews increasingly became 'more a source of finance to the courts than a genuine object of concern' to the ecclesiastical hierarchy.¹³⁹

¹³⁸ Dillow, 'Church-Seating Arrangements', p. 187.

¹³⁹ Dillow, 'Church-Seating Arrangements', p. 189.

However, evidence of instance and office disputes in the ecclesiastical courts in the Restoration period suggest that pews were still a cause for concern at the local level, for both churchwardens and parishioners alike. Pew disputes from this period give us a unique insight into the tensions and anxieties that arose in the wake of the Restoration. In the absence of ecclesiastical court material for the period 1642 to 1660, this evidence does much to help us understand the impact of the English revolution upon local communities, and in particular, upon customary pewing arrangements.

The Civil War years had seen the destruction of a number of churches and had wrought havoc upon the ordering of the parish community. In a dispute from Ince (Cheshire) in 1677, the title to a seat had been confused since 'ye time of ye late warrs and trubles in England' when the seats were 'demolished and pluckt' up by ye souldiers that kept Guard there'.¹⁴⁰ In 1679, Richard Sutton testified during a pew dispute that in 1644, 'soldiers pulled up the pews and kept guard' in the church at Pontefract (Yorkshire, West Riding).¹⁴¹ Likewise, a dispute from Acton (Cheshire) in 1663 revealed that although the church had been made decent and uniform in the 1630s, during the 'late warrs' it had been 'made some time a garrison and sometimes a prison, and was thereby much abused and demolished and many of the pewes . . . in it burnt'. A parish meeting was convened to agree the necessary repairs, but disputes arose over the ownership of certain places. It was not until the restoration of ecclesiastical authority that these issues were decided upon by an act of the court.¹⁴² Once again, familiar landmarks and monuments had been removed or destroyed, taking with them the focus of local memory.

¹⁴⁰ CRO EDC.5 (1677), 1: Ince.

¹⁴¹ BI CP.H 4409 1679: Pontefract.

¹⁴² CRO EDC.5 (1663), 34: Acton.

Furthermore, those who had lived through the ‘troubles’ had lived through an astonishing series of experiences that had profoundly altered the social and political relationships in the parishes in which they lived. Thus in a pew dispute from Astbury (Cheshire) between 1662 and 1663, Thomas Stephens alleged that Ralph Poole had been a ‘soldier for the Parliament party and a sequestrater employed by the Parliament against the kings ffreinds’ and had ‘intruded himself’ into the seat of William Weld.¹⁴³ Similarly, Chris Hanby, a gentleman from Bowes (Yorkshire, North Riding), alleged in 1673 that his property had been sequestered during ‘the late unhappy times’ because of his ‘loyalty and service to the King’. Hanby’s particular concern was that during this period mere tailors had used his seat in his absence.¹⁴⁴ Likewise, in a pew dispute from Pontefract (Yorkshire, West Riding) in 1679, William Brough testified that when ‘when the sword overpowered . . . Captain Ward’ turned William Tatham out of his pew.¹⁴⁵ The local social order was profoundly altered and challenged as political factions ruptured communities.

In the context of these social, political, and religious upheavals, disputes over place in church were inevitable. However, whilst parishioners clearly had a perception of the changes they had experienced, there was an enormous effort devoted to limit the extent of that change. This concern about pews mirrors the ‘wave’ of faculties for parish government and the reconstruction of urban corporations in the period following the Restoration following the ‘irregularities’ and tumult of the civil war years.¹⁴⁶ Therefore, in the reconstruction of churches and the seating plan, both churchwardens and parishioners often pursued a policy of

¹⁴³ CRO EDC.5 (1662), 12: Asbury; CRO EDC.5 (1663), 4: Astbury.

¹⁴⁴ BI CP.H 4590 1673: Bowes.

¹⁴⁵ BI CP.H 4409 1679: Pontefract.

¹⁴⁶ Steve Hindle, ‘The Political Culture of the Middling Sort in English Rural Communities, c.1550-1700’, in Tim Harris (ed.), *The Politics of the Excluded, 1500-1850* (Basingstoke, 2001), pp. 132-33.

reaction. This was evident in the struggle to restore the seating order as it had been before the troubles.

Oral evidence and the role of memory continued to play a crucial part in reconstructing the seating order of the church in the restoration period. In 1665, William Clough deposed that it was his opinion, and that of the ‘ancient men’ of the parish of Whitkirk (Yorkshire, West Riding) that Richard Hutchinson had a right to the pew in question.¹⁴⁷ Likewise, at Weaverham in 1665 Thomas Gorse alleged that the seat in controversy belonged to a property called Thornehouse, and that ‘both his father and other ancient people say as much’.¹⁴⁸ Memory was once again the contested landscape within which the struggle for particular outcomes was conducted.

However, in the absence of traditional motifs and markers, pew plans took on a new significance, as an aid to memory and a repository of local customs that might have been lost or forgotten during the troubles. Therefore, during a dispute at Rotherham (Yorkshire, West Riding) in the 1660s, Charles Darwent testified regarding a ‘copy or draught of the settlements’ recorded by commissioners following the ‘regulacion of the seates’ in the 1630s.¹⁴⁹ Similarly, in a dispute from Worksop (Nottinghamshire) in 1675, deponents alluded to a ‘writinge drawne’ when the seats had been ‘altered and made more uniforme’, ‘purporting how and to whom the viccar and then churchwardens there designed the same’.¹⁵⁰ At Frodsham (Cheshire), there was an ‘ancient Booke yt comprised al ye seates in ye said church and their owners’ that included a list written down during the re-ordering of the church in the 1630s. In 1683 the parishioners were confident that the book could be

¹⁴⁷ BI CP.H 2504 1665: Whitkirk.

¹⁴⁸ CRO EDC. 5 (1665), 19: Weaverham.

¹⁴⁹ BI CP.H 4597 post-1664: Rotherham.

¹⁵⁰ BI CP.H 3262 1675: Worksop.

used 'for ye prevention of Mistakes and differences amongst the parishioners concerning their right to seates' in the church.¹⁵¹ Likewise, during a dispute from Marbury in 1671, deponents referred to the re-ordering of the seats in 1635. The hope was that the decision made by the commissioners would remain 'for the avoiding and preventing of future differences'.¹⁵² These hopes were resurrected in the restoration period as parishioners clung to the only concrete record of their customary seating arrangements following the destruction caused by the civil wars. Furthermore, where property and pews had been sequestered during the wars, and political faction had drawn new distinctions of place and status, the restoration process was informed by reaction and a desire to seek refuge in the certainties of pre-war written customaries.

The pew plan had, therefore, become imbued with an almost iconic significance. Thus the seating plan of Marbury church written by the commissioners of 1635 was 'kept in a chest under 2 or 3 lockes and keys'.¹⁵³ Similarly, the church at Wrenbury (Cheshire) had a 'parchment schedule carefully kept, amongst other things of parish concerns in the church chest'. By 1685, the 'schedule' had become 'the Rule and directions that they are all guided by'.¹⁵⁴ The memory of past generations and the crystallising of custom at a particular moment in time had been annexed to the future. The social order was recreated, therefore, as it had been perceived in the past. The pew plan had, in a sense, been appropriated to the 'remembrance' of the parish and become the marker from which restoration memory and custom could reconstruct itself. However, as the trend of pew disputes in the restoration period indicates, this process of reconstruction was not uncontested.

¹⁵¹ CRO EDC.5 (1683), 1: Frodsham.

¹⁵² CRO EDC.5 (1671), 23: Marbury.

¹⁵³ CRO EDC.5 (1671), 23: Marbury.

¹⁵⁴ CRO EDC.5 (1685), 1: Wrenbury.

Does it get anyone for work
- how often has one ever seen
has for control?

VII

Conclusion

Whatever the theological impact of Laudianism in the localities, the social impact of innovation in the parishes was profound. The Laudian style of worship not only altered the relationship between clergy and laity, but also relationships within the laity itself. The uniformity of pews created novel forms of boundaries and altered the use of and perception of space within the church. Like the enclosure of the commons, new rows of seats cut across old lines and destroyed markers that had identified place and ownership in local memory. Parishioners who had organised space in the church according to notions of tradition, custom and common practice found themselves vulnerable to intrusions into their seats and confused about their position in the visual representation of the local social order. The resulting conflict and the fixing of place in the production of pew plans fundamentally altered the social practices that occurred within the landscape of the church. Indeed, the symbolic *meaning* of that landscape, and of seats themselves, had been transformed and must now be renegotiated.

However, whilst pews were symbolically significant, ecclesiastical policy in the 1660s reminds us that pews might also be perceived as a material resource. Indeed, it is arguable that financial issues were beginning to colour Caroline policy in the late 1630s, in the same way that government policy on the enclosure of the commons was also starting to become 'smeared with the trail of finance'.¹⁵⁵ The following chapter will therefore explore pew conflict in the light of the importance of pew payments to local parochial regimes.

¹⁵⁵ R. H. Tawney, *The Agrarian Problem in the Sixteenth Century* (London, 1912), p. 391.

Chapter Six

Pews and Parochial Finance

The previous chapter demonstrated that pews were of enormous symbolic significance in helping contemporaries understand the social and cosmic order through which their lives were customarily structured. It is hardly surprising, therefore, that disputes should arise when these customs were challenged. However, pews were also a material resource and we must consider the possibility that dispute was a function of the financial implication of changing methods of pew allocation. The following discussion will therefore examine the historiography of parish finance in the light of the consideration of a number of local parochial regimes.

07

I

The Historiography of Parish Finance

The question this chapter seeks to address is whether methods of pew allocation actually changed over the course of the late-medieval and early modern periods. There are, essentially, two conflicting schools of thought in the historiography of parish finance and its relationship to social, economic and religious change. The traditional view originated with J. C. Cox and was subsequently modified by Christopher Hill, David Underdown, and more recently, by Beat Kumin. The revisionist view by contrast originated with Richard Smith and David Palliser, and has recently been confirmed by Kevin Dillow. The following discussion takes each of these in turn.

In 1913, J. C. Cox described the rental of seats in church as ‘a grievous evil . . . through which the Church of England has for centuries so bitterly suffered, by making

the Houses of God the very centres of class distinctions engendered by wealth'.¹ He further asserted that it was the Reformation that gave great impetus to the seat letting movement.² Quoting *in extenso* from an ordinance written by the churchwardens of St. Laurence (Reading) in 1572-73, Cox argued that it was the loss of funds from these 'traditional' forms of revenue raising that forced churchwardens and parishioners to charge for seats in church as an expedient to avoid the introduction of rates where they might be unpopular. Indeed, the churchwardens of St. Laurence alleged that they had decided to regulate the rental of pews because:

the collections or gatherings heretofore Accustomably vused for and towards the mayntenaunce of the Church As well on the feast of All saints . . . As on Hocke Monday & Hocke Tewesdaye . . . togyther With the Chauntrey Landes ar lefte of and cleane taken from the Churche to the great Impoverishment therof.³

The movement, Cox argued, then took on a momentum of its own with whole churches parceling themselves out into ranges of revenue-raising pews.⁴ Cox, however, failed to note that the 'gatherings' once used had ceased to appear in the book in 1558-9, and that pews had been rented out in the church since at least 1441-2. It is likely that the entries may have been an attempt to persuade the Bishop of Salisbury that they were conforming to the injunctions.⁵

Following Cox, several historians have suggested that many parishes were forced to make fundamental transformations in their financial regimes during the early

¹ J. C. Cox, *Churchwardens' Accounts From the Fourteenth Century to the Close of the Seventeenth Century* (London, 1913), p. 186.

² Cox, *Churchwardens' Accounts*, p. 187.

³ Alexandra F. Johnston and Sally-Beth Maclean, 'Reformation and Resistance in Thames Severn parishes: The dramatic witness' in Katherine L. French, Gary G. Gibbs and Beat A. Kumin (eds), *The Parish in English Life 1400-1600* (Manchester, 1997), p.178.

⁴ Cox, *Churchwardens' Accounts*, pp. 188-90.

⁵ Johnston and Maclean, 'Reformation and Resistance', p. 178.

modern period.⁶ Beat Kumin's sample of ten parishes between 1400 and 1550 suggest that the mid-Tudor years opened a completely new chapter in the history of the English parish. Both parish accounts and government structure, Kumin argued, would have looked very different and distinctively 'early modern' by 1600.⁷ Similarly, Robert Whiting's research on the Southwest observed a 'catastrophic' decline in revenues and a diversion of funds away from the church towards secular purposes, in particular the confiscation of church goods and the Chantries Act of 1547. Each locality experienced these changes in different ways.⁸ Nonetheless, Kumin admitted that the chronology of pew rents suggests that some changes were underway long before the Reformation. Even with the introduction of pews in parish churches, they still did not invariably figure in all accounts. Various strategies in parishes suggest different economies and needs. There are also indications of continuity in the use of pews as a material resource. Far from being a post-Reformation innovation, pew fees were a source of parish revenues from the early fifteenth century. At All Saints, Bristol, they occur from the earliest account of 1406, at St. Ewen's and Ashburton from 1454 and 1483.⁹

Cox and Kumin were, therefore, inclined to stress the theological and ecclesiastical dimensions of the collapse of traditional regimes of parish finance in the late sixteenth century, and the pressure on churchwardens to come up with alternative sources of revenue, including pews. Hill and Underdown, meanwhile, were keen to emphasise that the disjuncture of the Reformation coincided with the process of social

⁶ Johnston and Maclean, 'Reformation and Resistance', p. 178.

⁷ Beat Kumin, *The Shaping of a Community: The Rise and Reformation of the English Parish c.1400-1560* (Aldershot, 1996), p. 203.

⁸ Kumin, *The Shaping of a Community*, p. 204, 213.

⁹ Kumin, *The Shaping of a Community*, p. 120. Other late-Medieval examples include Ashton-Under-Lyne, St. Michael (Bath), Yeovil (Somerset), St. Laurence (Reading), and St. Mary Woolchurch (London).

polarisation. They therefore argued that wealthier parishioners seized the opportunity to assert their control of space within the church by paying for pews, which confirmed their social status. Thus, both Hill and Underdown have tended to separate systems of pew allocation by the churchwardens from those that were assigned according to a payment system. Underdown has viewed this change as concomitant with the processes of social polarisation and the desire to define status more closely than had previously been the case. The significance of pew rents for both Hill and Underdown is also, therefore, due to the perception that payment systems were becoming more common as the seventeenth century progressed.¹⁰

The revisionist interpretation, characterised by Richard Smith and David Palliser (and those other medievalists inclined to criticise early modernists for emphasising late sixteenth century innovation), has refused to draw too stark a contrast between social practice in the middle Ages and in the early modern period.¹¹ In parish life, external interference had always existed, and there were changes in the intensity and degree of pressure, but hardly a major transformation in structure. Kevin Dillow has confirmed these views and stressed the medieval origins of pew renting. Dillow suggests that the majority of parishes that adopted payment systems were market towns and that those parishes had a long established history of pew payments.¹² Furthermore, Dillow argues that the irregularity of payments in these parishes suggests that they might better be understood as 'fines' imposed upon individuals for appropriating to themselves areas of

¹⁰ Christopher Hill, *Economic Problems of the Church from Archbishop Whitgift to the Long Parliament* (Oxford, 1958), p. 176; David Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England, 1603-1660* (Oxford, 1985), p. 30.

¹¹ David Palliser, 'Introduction: The Parish in Perspective', in S. J. Wright (ed.), *Parish, Church and People: Local Studies in Lay Religion* (London, 1988), pp. 5-28; Richard M. Smith, "Modernization" and the corporate village community in England: some sceptical reflections', in A. H. R. Baker and D. Gregory (eds), *Explorations in Historical Geography* (Cambridge, 1984), pp. 140-179.

¹² Dillow, 'Church-Seating Arrangements', p. 104.

the church previously allocated by the churchwardens.¹³ Dillow further argued that, contrary to the views expressed by Hill and Underdown, payment systems were not expanding in number during the seventeenth century. Of the churchwardens' accounts considered by Dillow, only parishes that had previously established, if irregular, payment systems introduced annual rents. Moreover, at parishes such as St. Martin and St. Peter le Bailey (Oxford) payments were discontinued in the late sixteenth and early seventeenth centuries.¹⁴

II

Financial Regimes in Action

This chapter tests the paradigms considered above against the evidence of churchwardens' accounts and the depositional evidence found in pew disputes and faculty cases heard before the ecclesiastical courts. It also speculates about the varying social and economic significance of the diverse parish regimes adopted. This chapter will, therefore, begin by considering the quality and representativeness of the sources. Secondly, the incidence of pew renting schemes will be explored in order to more fully comprehend the role of the Reformation in promoting new mechanisms of parish finance. Thirdly, this chapter will examine the economic significance of pew rental schemes, where they were introduced, and in particular, their contribution to parish income. Finally, the social significance of pew rental schemes will be considered with reference to the impact they might have had upon the construction and representation of the local social order.

¹³ Dillow, 'Church-Seating Arrangements', p. 103.

¹⁴ Dillow, 'Church-Seating Arrangements', p. 106.

1) Sources and Methodology

The accounts chosen for this study record the monies that passed through the hands of the churchwardens in their capacity as accountants or managers of parish funds. Although a scribe was often hired to write out the accounts, it was the churchwardens who were responsible for their accuracy before the parish audit. Contemporaries certainly valued these accounts highly. Carefully compiled and stored, they became the ‘memory’ of the parish and, like other legal documents, a source of both pride and power.¹⁵

Most churchwardens’ accounts from our period are incomplete, and several of those surviving give mere annual totals of income and expenditure without individual entries.¹⁶ Ronald Hutton suggests that although this format may be explained by the work of time and personal inclination, these faults also ‘reflect the tensions prevailing in the period as detailed sets of accounts often break off or become summary (infuriatingly) as religious changes commence. Contentious items were erased as regimes and policies altered’.¹⁷ Finally, we should consider the intermingling of oral and written traditions, and the ways in which parish communities often subverted the intentions of those who imposed record keeping upon them. Indeed, Eamon Duffy has suggested that churchwardens’ accounts should be thought of as both literary and oral documents, as both part of the parish archive and as texts for performance. Churchwardens’ accounts, Duffy argues, were sometimes used as prompts at the parish audit, whilst others look as if they were intended to be read aloud, or appear ‘very close

¹⁵ Kumin, *The Shaping of a Community*, p. 99.

¹⁶ See, for example, A. J. Waterlow (ed.), *The Accounts of the Churchwardens of the Parish of St. Michael's, Cornhill, in the City of London From 1456 to 1608. (With miscellaneous memorials contained in the Great Book of Accounts and extracts from the proceedings of the Vestry from 1563 to 1607)* (London, 1868).

¹⁷ Ronald Hutton, ‘The Local Impact of the Tudor Reformations’, reprinted in Peter Marshall (ed.), *The Impact of the English Reformation, 1500-1640* (London, 1997), pp. 142-43.

to *post facto* reporting of the parish audit, incorporating the conclusions and outcome of the whole process'.¹⁸ Like other written repositories of parish memory, Duffy argues, the bulk of the Morebath accounts 'are transcripts not so much of documents as of scripts, the traces in black and white of a man talking'.¹⁹

It is possible that only eight per cent of the churchwardens' accounts for the nine thousand parishes for the period 1400-1690 actually survive.²⁰ Of these very few would cover the whole period. Very rarely do full sets of accounts survive for a long run of years, making exhaustive diachronic research impossible. In addition, there is a skew in our material towards the counties of the south and southwest, and towards urban livings and wealthy parishes.²¹ However, it is precisely because churchwardens' accounts are repetitive and formulaic that they are so amenable in both form and content to statistical analysis.

Most of the churchwardens' accounts considered in this chapter have been systematically analysed in my M.A. thesis.²² The accounts are largely drawn from the Midland counties and Dorset, although there are a number of records from the south and southwest, and a few from the north. The accounts are predominantly urban, from market towns in particular, although around a third of parishes in this sample are rural. The following discussion is based upon a systematic but selective reading of twenty printed and five manuscript sets of churchwardens' accounts. The concentration of the

¹⁸ Eamon Duffy, *The Voices of Morebath: Reformation and Rebellion in an English Village* (London, 2001), pp. 22-23.

¹⁹ Duffy, *The Voices of Morebath*, p. 24.

²⁰ Ronald Hutton, *The Rise and Fall of Merry England: The Ritual Year 1400-1700* (Oxford, 1994), pp. 263-93.

²¹ Andrew Foster, 'Churchwardens' accounts of early modern England and Wales: some problems to note, but much to be gained', in French, Gibbs and Kumin (eds), *The Parish in English Life*, pp. 74-85.

²² Catherine Wright, 'Order, Conflict and Revenue: Church Seating Arrangements and the English Parish, c.1550-1700' (Unpublished University of Warwick MA Dissertation, 1998), Chapter 3.

sample in particular areas renders a comparison between different parishes in the same county possible. The sample also allows for a consideration of the differences that might exist between rural and urban areas. The chronology of these accounts is illustrated in Appendix 1.

The comparison of several sets of accounts is problematic as the start and finish dates rarely coincide. In these circumstances, quantitative analysis should concentrate on longer-term general trends rather than short-term fluctuations of individual items.²³ Long-term trends must therefore be considered alongside the figures that express short-term changes. Problems also occur where contemporary sums do not tally. Therefore all assessments and interpretations are based on fresh additions of all individual items. The wardens' figures and these new totals are often the same or similar, and it is reasonable to claim that the use of these figures does not misrepresent the original material. In the legends for each of the figures, 'sales' refer to receipts from the sale of church goods and 'miscellaneous' revenues include receipts from church rates, burials, lights, the churching of women and debts owed to the parish. The other categories are self-explanatory.

In order to take account of the massive price inflation experienced during this period, this chapter will consider the changing contribution of pew rents to parish income over time as a proportion of total revenues, rather than presenting the trends in pew rents as mere monetary totals.²⁴ This sample cannot hope to represent the sheer complexity and diversity of English parishes. Rather, it will throw more light on the very different and individual parochial histories and, potentially, on a number of similar

²³ Kumin, *The Shaping of a Community*, p. 87.

²⁴ This contrasts with the methodology adopted by Hill, *Economic Problems of the Church*, p. 176.

communities besides. At the very least, it demonstrates the sheer range of variation in the financial regimes of parishes before, during, and after the Reformation.

2) The incidence of pew renting schemes

In order to assess the incidence of pew renting regimes, and the role of the Reformation in furthering novel means of parish fund-raising, we will first consider the strategies exploited by the local community. As the symbolic and physical heart of the parish, the church building was repaired and redecorated by the parishioners. These repairs were often financed communally by the levying of rates according to status and wealth. While some parishioners were too poor to contribute, they were not necessarily excluded from involvement in the maintenance of the church. Skilled craftsmen might have been heavily involved in repairs, but even unskilled parishioners could undertake tasks such as sweeping the flagstones, catching vermin, whipping dogs out of the building, cleaning the church linen and strewing the pews with rushes.²⁵ The parish church disseminated and maintained notions of order and unity within the parish community and had become a symbol of communal identity.

Maintaining the parish church was, however, costly and in order to meet their charges parishioners adopted a number of different fund-raising strategies. The various schemes adopted reflected some of the differences between communities,

showing that financial obligations were not just another burden imposed on the laity by a remote clergy, but an expression of local, communal, and spiritual

²⁵ Nick Alldridge, 'Loyalty and Identity in Chester Parishes, 1540-1640', in Wright (ed.), *Parish, Church and People*, p. 92.

expectations . . . the parish was a meaningful forum for collective action dependent upon and informed by local resources and needs.²⁶

Indeed, these strategies were not only a reflection of the character and priorities of a particular parish or region, but were also instrumental in forming the identity of that community.

Churchwardens and parishioners had long exploited the money making potential of parochial customs in the desire to maintain their churches and churchyards. Fund-raising strategies were an expression of local, communal and spiritual expectations, informed by the resources and necessities of the local community. Geographical, legal, and economic differences played a major role in determining the economic structure of the parish. For rural parishioners, in particular, the parish was one of the primary forms of association, serving not only as a religious and liturgical centre, but also as a social and economic one. The diversity of fund-raising activities reflects this. Towns, on the other hand, offered a number of rival ecclesiastical and secular institutions. Urban fund-raising, therefore, took different forms.²⁷

A common way of raising money was through leasing property, services or goods. On the whole, rural parishes generally did not rely on property rents or on a policy of acquiring land. Some urban parishes, on the other hand, owned enough property to make rents their major source of income. Despite the government's attack on ecclesiastical property in the 1530s, landed endowments in some parishes survived virtually unscathed. This was largely due to the fact that government policy applied to land endowed for 'superstitious' purposes only. Churchwardens, who were able to

²⁶ Katherine French, 'Parochial fund-raising in late medieval Somerset' in French, Gibbs and Kumin (eds), *The Parish in English Life*, p. 115.

²⁷ Kumin, *The Shaping of a Community*, p. 118.

argue plausibly that their endowments were intended for poor relief and other charitable purposes or for general church maintenance, had little to fear.²⁸ Medieval churchwardens had frequently liquidated some of their assets, either for stock-clearing purposes or to raise money for extraordinary projects. In Kumin's sample, however, sales emerged as the second most important item of revenue after 1547.²⁹ As in the case of parish rents, fear of government appropriation of local resources and *financial necessity* were probably the most common motives for the sale of parish property.

Community-wide collections or gatherings were a more prominent and widespread fund-raising strategy. Parishes used them to meet a variety of regular and special expenses such as new vestments or building projects. Social and legal pressures meant these contributions were not voluntary.³⁰ Using entertainment as an enticement to contribute increased the laity's participation in the fund-raising process. The use of revels, ales and plays, which were traditionally associated with the pre-Reformation parish, were most often found in rural communities. Church ales were the most common form, probably because they demonstrated the close tie of sociability and religious experience, and were frequently financially successful. This positive aspect of ales was re-emphasised in the 1630s by the Laudian hierarchy. In 1633, Bishop Piers justified the contentious Somerset ales on the basis that they were 'for the civilizing of people . . . for the composing of differences by occasion of the meeting of friends, for the increase of love and amity . . . for relief of the poor'.³¹

²⁸ Kumin, *The Shaping of a Community*, pp. 205-209. At Ashburton rents fell only slightly from £11 5s 3d in 1541 to £10 19s 11d in 1546.

²⁹ Kumin, *The Shaping of a Community*, pp. 211-212 and appendix 4 (i).

³⁰ French, 'Parochial fund-raising', p. 123.

³¹ David Cressy and Lori Ann Ferrell (eds), *Religion and Society in Early Modern England: A Sourcebook* (London, 1996), pp. 148-50.

Of the traditional sources of parish revenue, church ales were the worst affected by the Reformation. Under Edward, they fell from 15 to 5 percent of fresh income, and recovered only marginally during the next reign.³² The motives for the suppression of traditional celebrations such as ales included official anxieties about order, and the concern for the proper observance of the sabbath. The chronology of the suppression varied regionally. In the accounts studied by Ronald Hutton, sixteen of the eighteen parishes that had regularly held ales had ceased to hold them in the period 1547-9. The use of authoritative royal commissioners during this period doubtlessly assisted in the imposition of the Privy Council's orders. However, the councils of Elizabeth I, James I and Charles I were more hesitant in bringing such authority to bear, and the campaign against wakes and ales became increasingly dependant on local officers. By the Stuart era revels and ales were to become bitterly disputed partisan activities, aggravated by the publication of the King's Book of Sports in 1618 and 1633.³³ Towards the close of the sixteenth century many places replaced ales with a system of parish rates. However, during Edward's reign ales were already in sharp decline and other fundraising methods had not yet been established.

As we have seen, Hill and Underdown have argued that pew rents were one of the main options explored by parochial regimes in filling the vacuum left by the loss of traditional fund-raising strategies, in particular, church ales. Furthermore, they have argued that pew-renting systems were becoming more common in the sixteenth and

³² Kumin, *The Shaping of a Community*, p. 213.

³³ Kumin, *The Shaping of a Community*, p. 196; Hutton, *The Rise and Fall of Merry England*, pp. 79-95; Underdown, *Revel, Riot and Rebellion*, pp. 44-72; Patrick Collinson, 'Elizabethan and Jacobean Puritanism as Forms of Popular Religious Culture', in Christopher Durston and Jacqueline Eales (eds), *The Culture of English Puritanism, 1560-1700* (London, 1996), pp. 32-57; Patrick Collinson, *The Birthpangs of Protestant England: Religious and Cultural Change in the Sixteenth and Seventeenth Centuries* (London, 1991), pp. 141-2, 152; Steve Hindle, 'Custom, Festival and Protest' in Early Modern England: The Little Budworth Wakes, St. Peter's Day, 1596', *Rural History*, 6:2 (1995), 159-62.

seventeenth centuries. The following discussion will, therefore, analyse the number of churchwardens' accounts that include receipts for pews, and supplement these with evidence from church court material. It will also examine the chronology and geography of those churches in our sample that implemented pew rents in the light of other research into pew rental schemes.

Of the twenty-five churchwardens' accounts considered here, sixteen recorded payments for seats, although only thirteen of these did so on a regular basis.³⁴ The evidence therefore suggests that two thirds of the parishes in our sample had some form of pew payment scheme, and that over half had a *regular* system of annual, quarterly or life payments. Those parishes that did not implement a payment system include the six Hertfordshire parishes of Ashwell, Baldock, Knebworth, Bishop's Stortford, Stevenage and St. Peter's.³⁵ These examples reflect the variety of alternative sources of income that could be pursued, particularly if there was no prior tradition of charging fees for seats. In the rural parish of Ashwell between 1563 and 1603 money was occasionally paid out to mend seats in the church.³⁶ However, no money was ever collected for the rental of these seats. Similarly, St. Peter's also spent a fair amount on both the building and maintenance of pews between 1573 and 1603, and there was in existence some form of seating arrangement.³⁷ In Baldock (1540-1553), Bishop's Stortford (1540-1558), and Stevenage (1575-1576) there is no mention of any expenditure on or revenue

³⁴ Sherborne (Dorset); Holy Trinity, Chester (Cheshire); Ludlow (Shropshire); St. Mary's, Tewkesbury (Gloucestershire); St. Michael's, Gloucester (Gloucestershire); St. Michael's in Bedwardine, Worcester (Worcestershire); St. Michael's, Cornhill (London); St. Oswald and St. Nicholas (Durham); Holy Trinity, Dorchester (Dorset); St. Mary's, Lichfield (Staffordshire); Cerne Abbas (Dorset); and Beaminster (Dorset).

³⁵ Anthony Palmer (ed.), *Tudor Churchwardens' Accounts* (Hertfordshire, 1985); and Stephen Doree (ed.), *The Early Churchwardens' Accounts of Bishop's Stortford 1431-1558* (Hertfordshire, 1994).

³⁶ Palmer, *Tudor Churchwardens' Accounts*, p. 46.

³⁷ Palmer, *Tudor Churchwardens' Accounts*, pp. 143, 159.

received from seats, whilst in the town of Knebworth (1598-1609) the only related expense was for a 'matt' to kneel on in the chancel.³⁸

All of these parishes tried to avoid the levying of a church rate for as long as possible.³⁹ However, traditional forms of revenue raising such as 'Maye money' and Easter collections persisted.⁴⁰ In Ashwell, Baldock and Bishop's Stortford, the bulk of the parish income came from rents. In Knebworth revenue was raised by renting out cows, supplemented by lending out the parish stock, a practice also adopted at Ashwell. In both Saint Peter's and Ashwell, recourse to the raising of the church rate was only undertaken when demands on expenditure far outstripped their normal resources. In the former parish this demand was generated by the entire renewal of the bell-frame in 1600, whilst in the latter the rate was occasioned by a major overhaul of the church building forced by a presentment in the Archdeacon's court for neglect of the fabric.⁴¹ The changes brought about by ecclesiastical innovations did not result in the implementation of a payment system at St. Peter's and Ashwell. Churchwardens could be both intuitive and resourceful, funding changes through long established as well as novel forms of revenue raising.

Similarly, in the pastoral parish of Minchinhampton (Gloucester) situated on a tongue of land at the edge of one of the hill districts of Gloucestershire, the main sources of income came from sheep, with the cloth industry confined to corporate towns

³⁸ Palmer, *Tudor Churchwardens' Accounts*, p. 3.

³⁹ Palmer, *Tudor Churchwardens' Accounts*, pp. ix, 74.

⁴⁰ Palmer, *Tudor Churchwardens' Accounts*, p. 3; and Doree (ed.), *The Early Churchwardens' Accounts of Bishop's Stortford*. In 1563 Ashwell collected 'Maye money', Knebworth still received a substantial proportion of its income from its Easter collections, as did Saint Peter's, Stevenage, and Bishop's Stortford. The receipts for Bishop's Stortford also include income from 'fayre days'.

⁴¹ Palmer, *Tudor Churchwardens' Accounts*, p. ix-x.

until late in Elizabeth's reign.⁴² The church ale had raised between £3 and £4 each year until it was discontinued in 1589. However, the first entries concerning the appropriation of seats with references to sums paid do not appear until 1633.⁴³ There are no individual entries for these transactions, although a nominal sum must have been raised from pews. Minchinhampton did not resort to raising revenue from its seats to compensate for the decline of the church ale. Rather, the wardens chose to revive the Easter collection in a new form in 1604, alongside another established annual collection.

The churchwardens' accounts for the urban parish of St. Mary's, Leicester (Leicestershire) between 1652 and 1709 record a few, inconsistent receipts for pews. The principal income of St. Mary's was derived from levies and collections made annually by the overseers for the poor. The revenue raised at St. Mary's was initially comparatively small for an urban parish, totalling only £9 13s 11d in 1655. However, the amount raised by the rate increased dramatically over time so that by 1663 it was £49 2s 5d. The seats in the church were probably appropriated to individuals and were regularly mended, painted and adorned.⁴⁴ However there are very few individual entries for income from this source and the *ad hoc* method of collection suggests that fines were charged for the prescriptive seats held in the church as compensation for the loss of control by the churchwardens.

⁴² John Bruce, 'Extracts from the Accounts of the Churchwardens of Minchinhampton, in the County of Gloucester, with Observations Thereon', *Archaeologia*, 35 (1853), 409-452.

⁴³ Bruce, 'Extracts from the Accounts of the Churchwardens of Minchinhampton', p. 443.

⁴⁴ Rutledge, John (ed.), *The Vestry Book and Accounts of the Churchwardens of St. Mary's, Leicester, 1652-1729* (Leicester, 1912), p. 29. Mr. Thomas Wadland paid 13s 4d for his seat in 1667, and repairs were made to Mr. Runinges seat in 1668. There were also seats for the 'eight and forty' Councilmen and their wives.

In a number of parishes, therefore, churchwardens responded to the loss of income from traditional sources in a variety of ways that were contingent upon local factors. Of those parishes that implemented pew payment systems, only two, Sherborne (Dorset) and Holy Trinity, Chester (Cheshire) recorded income from pews prior to the Reformation. Indeed, the practice of reserving pews in return for payment began even before the Reformation in Sherborne. However, as the original manuscripts for the period 1540-1700 are currently being restored, it is difficult to glean the pattern of these payments over the two full centuries for which they exist. However, the very fact that pew payments were evident in the accounts for such a continuous period, coupled with numerous memoranda in the parish vestry book and a seating plan for 1704, suggests that pews and the revenue derived from seats played an important role in the parish from the period prior to the Reformation to that following the Toleration Act.⁴⁵

A further four parishes introduced pew payments in the first half of the sixteenth century. However, eight (or rather half) of the parishes introduced pew renting or payment schemes during the seventeenth century. This might suggest that parochial regimes *were* fundamentally transformed in the early modern period. The chronology of these accounts, however, differs from that identified by Kevin Dillow. In Dillow's sample most of the parishes that adopted regular or annual payment schemes had previously established some form of payment system. Both the sample considered here and that identified by Dillow suggest that there were a variety of local responses to ecclesiastical and social change and that there were a range of motives for introducing pew rents.

⁴⁵ DRO PE/SH VE1; PE/SH CW4/3/1: Plan of Pews, Sherborne, 1704.

In addition to the evidence found in churchwardens' accounts for the early modern period, there are also incidental references to pew payments in the depositional material from pew disputes heard before the ecclesiastical courts. As we have seen, it is likely that only eight percent of the churchwardens' accounts for the nine thousand parishes between 1400 and 1690 survive. The sample of churchwardens' accounts considered here represents a small proportion of those accounts that survive. Furthermore, there is a skew in the survival of accounts towards urban areas and the counties of the south and south-west. Indeed, of the sixteen parishes in our sample of churchwardens' accounts that recorded receipts from pews, ten were either market towns or urban communities. The incidental evidence found in pew disputes is, therefore, invaluable in helping us to discover those parishes ^{which} ~~who~~ received payments for their pews, but for ^{which} ~~whom~~ no churchwardens' accounts survive. Indeed, these records suggest that we may have *underestimated* the extent of pew renting. The church court material for the three jurisdictions analysed in this thesis indicate that a further seven parishes in the diocese of York, thirteen in the diocese of Chester, and seven in the diocese of Coventry and Lichfield received revenue from their seats.⁴⁶ However, the most we can ever hope to achieve is a *minimum* figure for the incidence of pew payment schemes. It is, nevertheless, possible to uncover the *motives* behind the implementation of pew payments.

⁴⁶ The parishes in the diocese of York include Holmfirth; Kirkburton; St. Mary's, Beverley; Holy Trinity, Kingston-upon-Hull; Illingworth; St. John's, Leeds; and Kirkby Stephen. The parishes in the diocese of Chester include Bebington; St. John, Chester; St. Oswald, Chester; St. Michael, Chester; Upholland; Weaverham; Marbury; Darwen; Dalton; St. Peter's, Chester; Manchester; Wybunbury; and Christleton. The parishes in the diocese of Coventry and Lichfield include Whitchurch; St. Michael's, Coventry; Kirk Ireton; Nuneaton; Clifton upon Dunsmore; Holy Trinity, Coventry; and Barton under Needwood.

3) The economic significance of pew renting schemes

Where they existed, payments might have been an important source of income for the parish. Indeed, this is an issue the subsequent analysis will examine through the consideration of the contribution of pew rents to total parish revenues. First, however, the following discussion will explore the evidence found in pew disputes heard before the ecclesiastical courts regarding the motives for adopting payment systems. It will suggest that these motives were not only multifarious, but also dependent on a number of local circumstances and traditions.

The parish of Kirkburton (Yorkshire, West Riding), for example, was forced to reconsider the method by which it raised the stipend for their curate in the 1630s. The controversy arose when the new curate refused to accept payment in kind as he thought it was 'too base a thinge for him to take wooll and oates'. Thereafter, 'two of the best of every hamlett' allotted seats to the parishioners and charged them 12*d* per annum for each pew they held. The parishioners were permitted to retain their right to their seats provided that they always paid their contribution. Pew payments were therefore introduced in order to solve the problem of raising a monetary stipend for the curate at Kirkburton.⁴⁷ A similar motive for pew payments was evident at St. John's, Leeds where the patron of the church, John Harrison, had introduced a system in 1634 whereby parishioners were granted seats in the church in return for an annual payment towards the minister's stipend.⁴⁸ Likewise, in 1631, wardens in the town of Upholland (Lancashire) were required to collect pew rents of 8*d* or 4*d* each year, which made up

⁴⁷ BI CP.H 2261 1638: Kirkburton.

⁴⁸ BI CP.H 3185 1675: Leeds, St. John.

part of the curate's stipend.⁴⁹ In 1669 it was alleged that a system of payments had been devised by 'some of the Cheife of the parish' of Manchester by which they 'sett all the seates in the Gallery . . . that were then out of Lease to such of the parishioners as would give the most for them upon a yearly rent'. The money raised would thereafter be used to fund the parish lectures.⁵⁰ Similarly, a deponent in a case from Illingworth (Yorkshire, West Riding) in 1641 alleged that there had been a custom observed in the chapelry for forty years by which an assessment was 'imposed and cessed upon every said inhabitant according to the worth priority and rancke of the stall or seat' they possessed. The money was collected every six months by four of 'the best or most substantiall men' and contributed towards the minister's stipend.⁵¹ In parishes such as these, pew payments were crucial to the maintenance of the preaching ministry.

In other parishes, inhabitants were allocated a seat in the church in return for a payment that was equivalent to a church rate or assessment. Thus in 1682, John Clayton of Wybunbury (Cheshire) alleged that he had paid 5s towards the church lay, not according to any land he held in the parish, 'but upon a seat or pew in the church'.⁵² Likewise, at Holy Trinity, Kingston-upon-Hull (Yorkshire, East Riding) in 1640, Samuel Lister and Thomas Swan alleged that they paid 'rent' or 'cessmente' for their own particular seat in the church.⁵³ In a similar manner, it was alleged in 1686 that there was a 'certain custome used time out of minde' in the parish of Kirkby Stephen (Westmorland) where the parishioners paid for their seats in the church by an annual

⁴⁹ CRO EDC.5 (1631), 63: Upholland.

⁵⁰ CRO EDC.5 (1669), 8: Manchester.

⁵¹ BI CP.H 5349 1641: Illingworth.

⁵² CRO EDC.5 (1682), 27: Wybunbury.

⁵³ BI CP.H 2348 1640: Kingston-upon-Hull, Holy Trinity.

assessment.⁵⁴ At Kensington (Middlesex), the money raised from the pews was used to help repair the church, whilst at St. Mary's, Reading (Berkshire) rents replaced life payments in 1581 because the churchwardens claimed they were needed for the 'augmenting and increasing of the church stock and helping to repair and maintain the church'.⁵⁵ In parishes such as these, the use of pews as a physical recognition for rates paid by the inhabitants may have made parishioners more likely to pay their assessments as they received something tangible in return, specifically a symbol of their social status.

Schemes such as these may also have ensured compliance in that a parishioner's right to a seat in the church was often *contingent* upon their payment of parish dues. Thus in Lambeth (Surrey) in 1617, a vestry order encouraged parishioners' cooperation with the payment of 'voluntarye Contribucions' by withholding the right to their allotted seats in the church until payment was forthcoming.⁵⁶ In this year alone, voluntary contributions towards the repair of the seats amounted to £56 3s.⁵⁷ The loss of a pew, as we have seen, could invoke feelings of shame, dishonour and disgrace.⁵⁸ Given the choice, many parishioners would probably rather have paid their taxes, however grudgingly, than lose their place in the church. The association of pew ownership and an annual contribution to the maintenance of the church might therefore have bolstered parochial financial regimes and thus could have a profound impact upon the total income raised. It might also, arguably, have bolstered communal solidarity within pew renting groups in the parish. Moreover, as we have seen, seats were

⁵⁴ BI TRANS. C.P. 1686/3: Kirkby Stephen.

⁵⁵ Dillow, 'Church-Seating Arrangements', p. 115.

⁵⁶ Charles Drew (ed.), *Lambeth Churchwardens' Accounts, 1504-1645 and Vestry Book 1610*, 2 vols. (Surrey Record Society, 18, 1948; 20, 1950), p. 251.

⁵⁷ Drew (ed.), *Lambeth Churchwardens' Accounts*, p. 288.

⁵⁸ See Chapter 3 above.

allocated only to those parishioners who paid towards the church rate. If parishioners failed to make their payments they might forfeit the right to their seat in the church.⁵⁹ Therefore, even where the right to a pew was only *loosely* (rather than *directly*) related to the payment of the church rate, the significance of pews to parish finances might have been disproportionate to the amount they actually raised in and of themselves.

Kevin Dillow has argued that one of the motives for the introduction of payment systems was the desire of the churchwardens to maintain control of the pews in their church in the light of the growing numbers of prescriptively held seats.⁶⁰ He argues that this is particularly evident in parishes where irregular payments were made, and where such charges appear to have been forms of fine imposed for the removing of seats from the control of the churchwardens. Thus, in 1622, Sir Richard Brerely of St. Michael's, Chester (Cheshire) paid 5s for 'admittance into the forme . . . according to the use of the said parish'.⁶¹ A deponent in a pew dispute from Barton under Needwood (Warwickshire) in 1684 alleged that at St. Alkmond's, Salop, parishioners paid a 'fine' upon occupying a newly erected seat.⁶² When Richard Clyve built a seat at Holy Trinity, Chester in 1568, he made a payment to the churchwardens conditional upon the return of the seat to the wardens' control on his death.⁶³ This tendency chimes with efforts in a number of parishes to ensure that seats allocated in return for a life payment were returned to the churchwardens on the occupant's departure from the parish. Indeed, as we shall see, churchwardens maintained the power to allocate seats in parishes where payment systems operated. In Lambeth (Surrey), for example, the

⁵⁹ See Chapters 2 and 4 above.

⁶⁰ Dillow, 'Church-Seating Arrangements', p. 115.

⁶¹ CRO EDC.5 (1629), 29: Chester, St. Michael.

⁶² LRO B/C/5 1684: Barton under Needwood.

⁶³ J. R. Beresford (ed.), 'The Churchwardens' Accounts of Holy Trinity, Chester, 1532 to 1633', *Journal of the Chester and North Wales Architectural and Historic Society*, 38 (1951), 105.

churchwardens claimed that the payment system was established so that 'the placing and displacing of the parishioners shall always be at the order and discretion of the churchwardens'.⁶⁴ Pew rents were therefore not only introduced for financial reasons, but also, as we shall see, to protect the interests of the local hierarchy.

One of the ways in which the system of allocation by churchwardens was under threat, particularly from the 1660s onwards, was through the granting of faculties to individual parishioners and their families. Faculties were a sound legal basis for a prescriptive title and thus threatened parochial systems by removing seats from the control of churchwardens. As we have seen, faculties granted by the vicar-general of the diocese of London in the seventeenth century explicitly prohibited the churchwardens from placing any person in a pew that had been confirmed by a faculty. Furthermore, this specific inhibition was restated with particular force and regularity following the Restoration, precisely at the time when the number of faculties for pews was rising, in what seems like a conscious effort on the part of the episcopacy to assert its power to order.⁶⁵

This jurisdictional tension might also have had financial implications, particularly for those churches that derived a considerable part of their income from pew rents. Christopher Hill has suggested that church court records demonstrate occasional interference by the ecclesiastical authorities to ensure that pews were disposed of by ministers, with or without the collaboration of churchwardens or other mediating groups. Hill also suggests that the records of the archdeaconry courts contain a number of cases where faculties for pews interfered with parochial arrangements. In

⁶⁴ Drew (ed.), *Lambeth Churchwardens' Accounts*, p. 195.

⁶⁵ See Chapter 2 above.

Stepney parish church (Middlesex) between 1627 and 1632, for example, regulations stipulating that no servants were to sit in pews, and that seats should be allocated according to rank and 'quality', were not only social measures, since the finances of Stepney parish were dependent on pew rents. Thus when the Bishop of London (Laud) granted a faculty to hold three pews it was 'to the impoverishing of the parish'.⁶⁶

Hill further argued that the church courts tried to utilise these changes to their advantage, and that in the 1630s the ecclesiastical hierarchy, especially under Laud, was intervening in local quarrels to ensure that the increasingly important income from pew rents made its way into the coffers of the ecclesiastical rather than the lay authorities.⁶⁷ Indeed, faculties issued in 1630s for the erection of private pews cost 13s 4d in all, divided equally between chancellor and registrar.⁶⁸ If this was the case, those parishes that were becoming increasingly dependent on their income from pew rents may well have felt threatened.

Certainly, faculties that overrode the privileges of the churchwardens and other parish elites were seen as representing a threat. This is evident in the opposition faculties aroused. Of the 110 instances where faculties were opposed, churchwardens were responsible for making a challenge in 49 (42 percent) of the cases. The motives for this opposition were multifarious, but they were largely rooted in a concern to maintain control over pews in the face of local social change.⁶⁹ Thus, for example, the churchwardens of Enfield (Middlesex) petitioned the court not to grant a faculty because their parish was,

⁶⁶ Hill, *Economic Problems of the Church*, pp. 176-7.

⁶⁷ Hill, *Economic Problems of the Church*, pp. 176-7.

⁶⁸ Ronald A. Marchant, *The Church under the Law: Justice, Administration and Discipline in the Diocese of York, 1560-1640* (Cambridge, 1969), p. 26.

⁶⁹ Dillow, 'Church-Seating Arrangements', p. 118.

very populous and that many persons of eminent quality did and do inhabit and dwell in their said parish, and that in case every or any person of eminence should have a seat assigned unto him or their houses wholly, they would not neither will there be sufficient room for them that are householders in the said church.⁷⁰

Similar concerns were voiced in the 'very numerous' parish of Ormskirk (Cheshire) in 1679 where a claim to 'soe much ground in the church' was resisted because if all parishioners followed suit, 'above nine parts of them [the parishioners] must be without'.⁷¹ The churchwardens of Campsall (Yorkshire, West Riding) similarly petitioned the Archbishop's court at York in 1689 not to grant a faculty to the inhabitants of Fenwick because it interfered with existing parochial seating arrangements.⁷² If, therefore, the control of pew allocation at the parish level was being challenged, it is also conceivable that the right to control the revenues raised by pews could have provoked jurisdictional clashes between the central ecclesiastical authorities and the localities. For those parishes that were or were becoming increasingly dependent on their income from pew payments, this might have been a particular cause for concern. The following discussion will, therefore, analyse the contribution that pew payments made to local parochial regimes where they were introduced.

The churchwardens' accounts for the Gloucestershire parishes of St. Mary's, Tewkesbury (1540-1624) and of St. Michael's, Gloucester (1546-1580) provide an interesting case study of the contrasting responses to religious innovation and financial

⁷⁰ Dillow, 'Church-Seating Arrangements', p. 118.

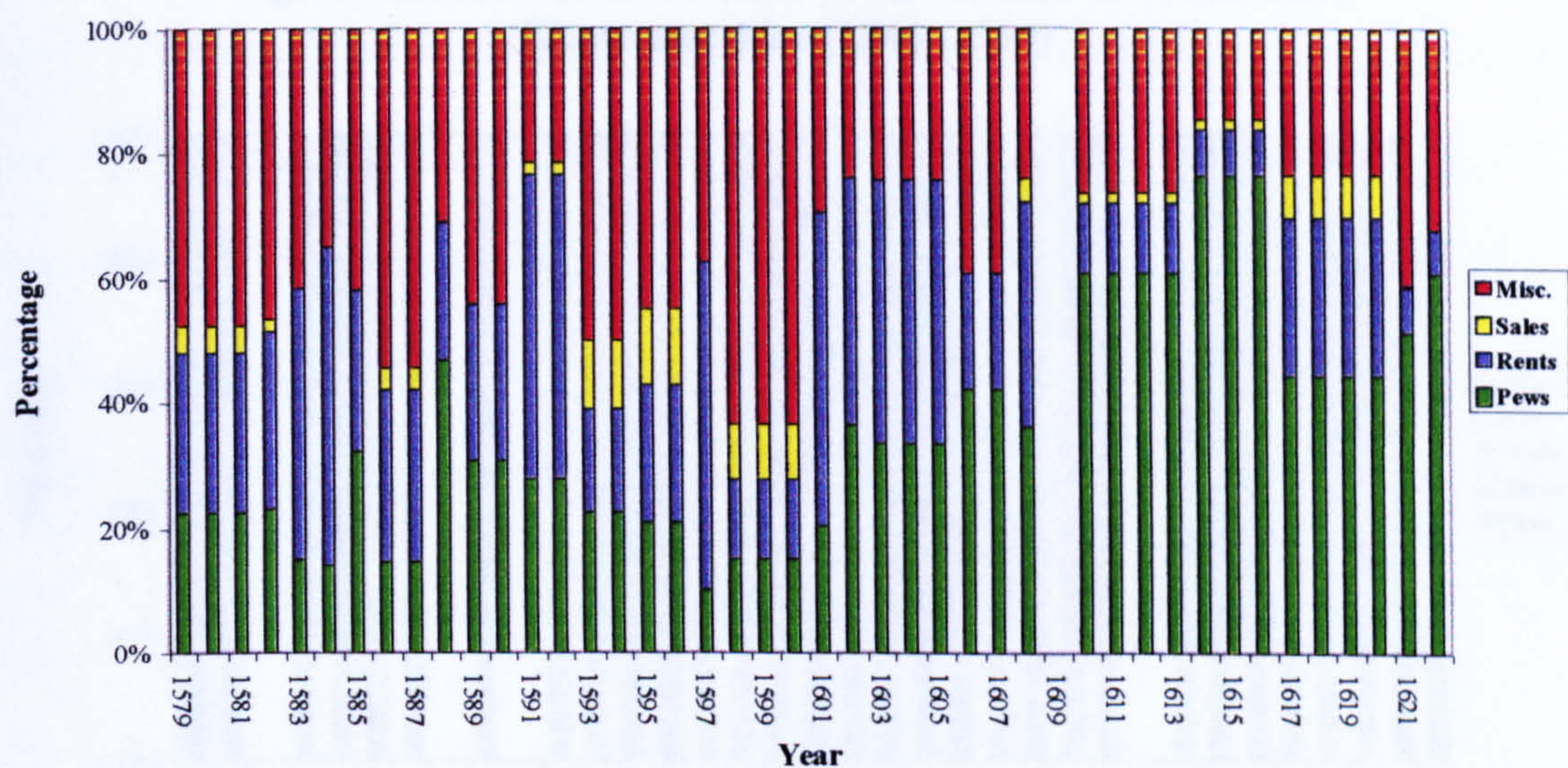
⁷¹ CRO EDC.5 (1678-9), 9: Ormskirk.

⁷² BI FAC 1690/4: Campsall.

pressure in two urban parishes in the diocese and county of Gloucester.⁷³ They also highlight how important the income from pews *might* actually be in the context of the needs and traditions of the local community.

The advent of Protestantism in England elicited a ‘chilly reception’ in Tewkesbury.⁷⁴ Indeed, Tewkesbury is an example of the minimalist approach to the introduction of Protestantism. The Tewkesbury churchwardens were conscientious with

Figure 6.1: Sources of Revenue at St. Mary's, Tewkesbury, Gloucestershire (1580-1624)



regard to their other ongoing responsibility, which was to oversee the material needs of the parish, in particular the maintenance of the fabric of the nave of the church. At Tewkesbury they gave priority to their large and cathedral-like church, regularly repairing and improving it. The town’s sense of pride for its church had its roots in the

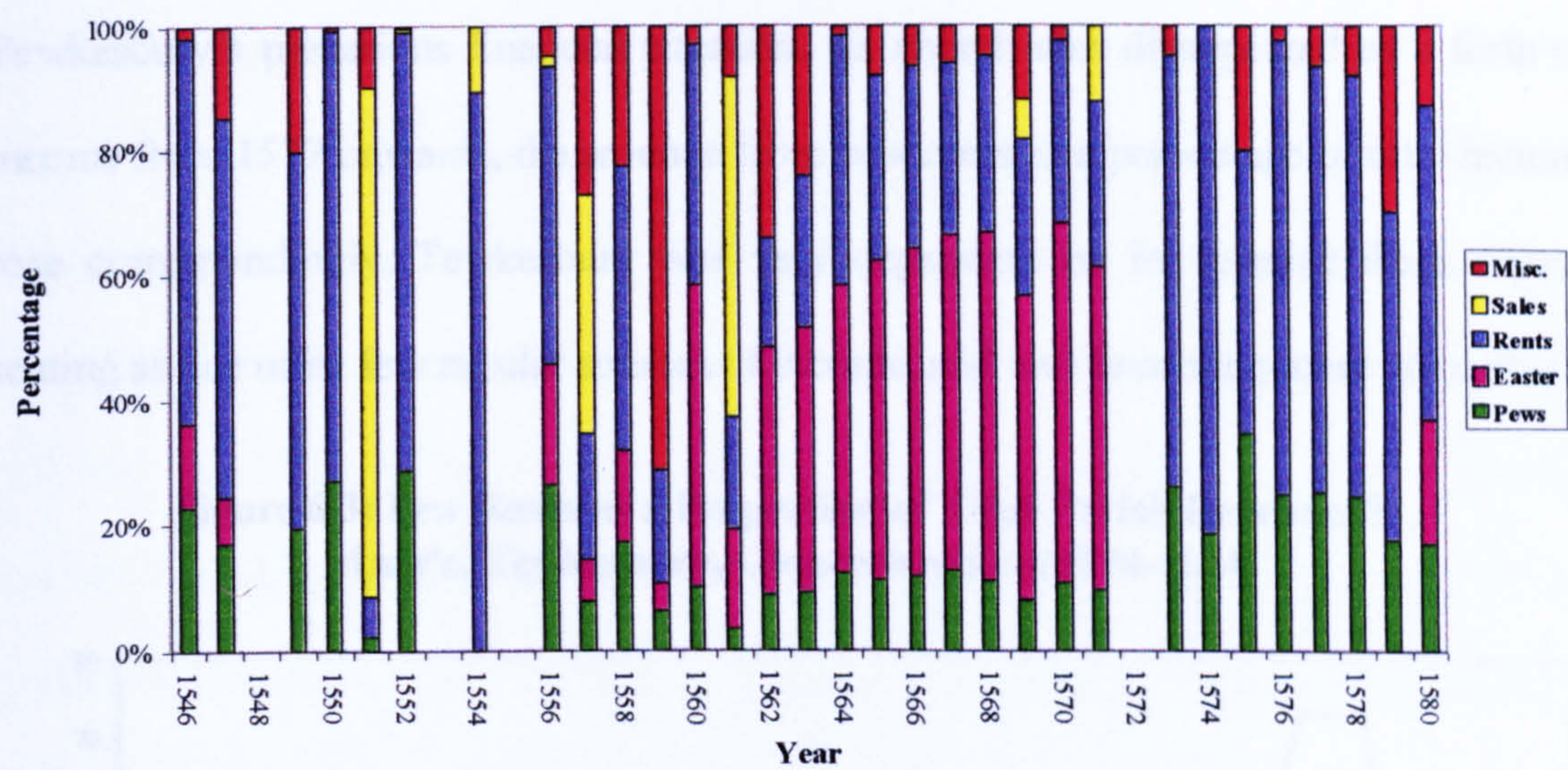
⁷³ C. J. Litzenberger (ed.), *Tewkesbury Churchwardens' Accounts, 1563-1624* (The Bristol and Gloucestershire Archaeological Society, 1994) and Caroline Litzenberger, *The English Reformation and the Laity: Gloucestershire, 1540-1580* (Cambridge, 1997).

⁷⁴ Litzenberger (ed.), *Churchwardens' Accounts*, p. x.

fact that following the dissolution of 1539, the inhabitants of Tewkesbury intervened to save the Abbey as a place of local worship by purchasing it in 1543.⁷⁵

In terms of the way in which it spent its income, the church of St. Michael's could not have appeared more different. St. Michael's spent 20 per cent of its income during the period 1563-80 on the accoutrements of worship while by contrast Tewkesbury spent only the minimum required to obtain the mandatory Prayer Book and the Book of Homilies.⁷⁶ Furthermore, the related patterns of revenues and expenses

Figure 6.2: Sources of Revenue at St. Michael's, Gloucester, Gloucestershire (1546 -1580)



were much more erratic at Tewkesbury than at St. Michael's. At St. Michael's when expenses increased, revenues increased correspondingly whereas at Tewkesbury there seems little correspondence between the two. Both parishes relied on seat money and rental income as steady sources of revenue. At Tewkesbury, however, additional sources seem to have been rather *ad hoc*. For instance the pattern of church ales seems

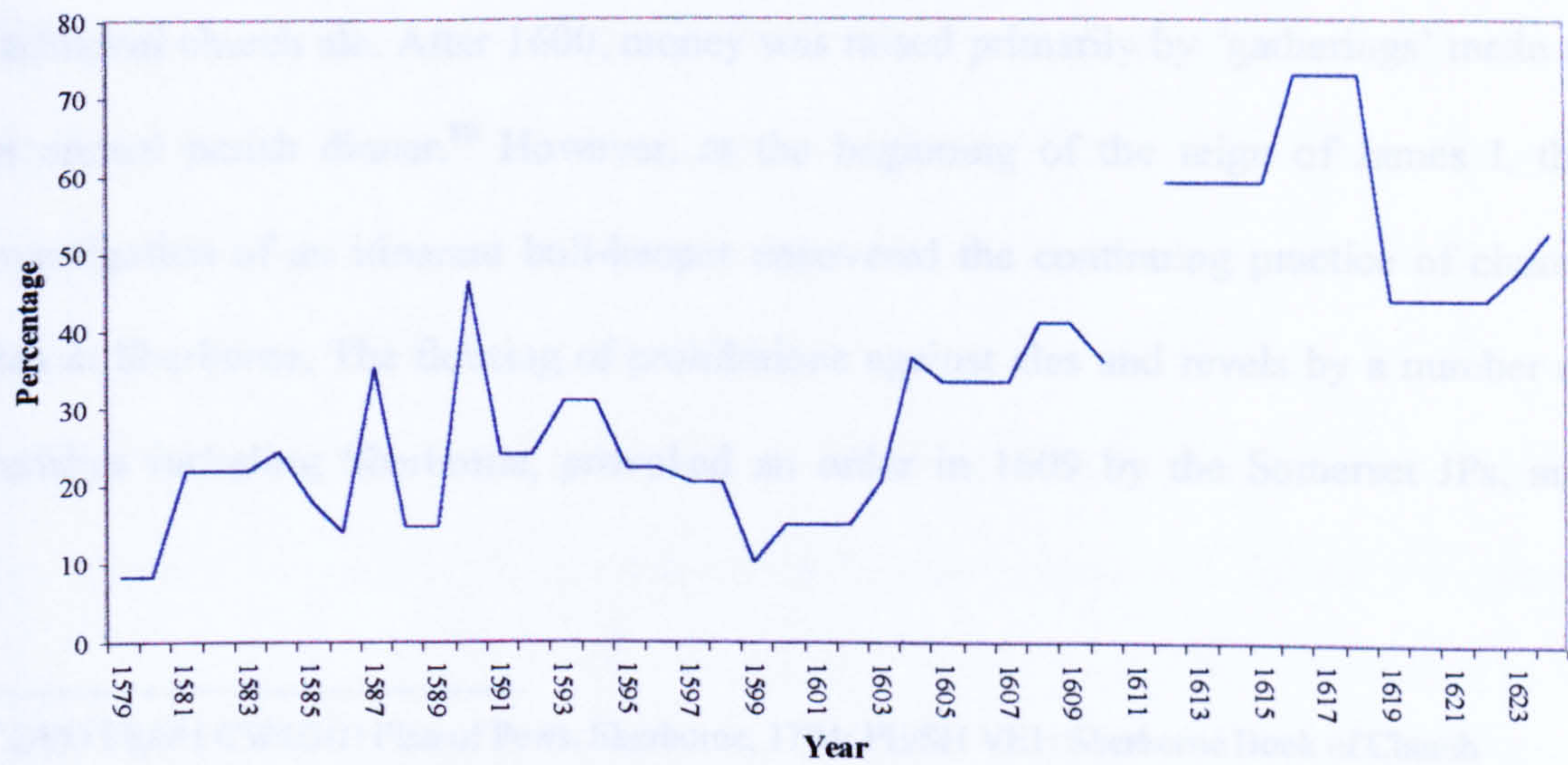
⁷⁵ Litzenberger (ed.), *Churchwardens' Accounts*, p. vii.

⁷⁶ Litzenberger (ed.), *Churchwardens' Accounts*, p. x.

sporadic, and there were several years in which much of the revenue came from donations made by individual parishioners (Figure 6.1). The Tewkesbury accounts do not exhibit the pattern of introducing new rates or special collections such as ‘Easter money’ and then continuing them for several years, as is evident in those of St. Michael’s (Figure 6.2). The sheer size and diversity of the parish of Tewkesbury made it possible for the leadership there to respond to demands for additional funds in a more informal manner than was feasible in smaller, more homogenous parishes.

Tewkesbury’s latitude in meeting the requirements of Elizabethan religious policy also eased the burden on parish finances. The bar graph (Figure 6.1) reflects Tewkesbury’s precarious financial situation. As church ales disappeared as a form of income from 1577 onwards, the revenue from pew rents as a percentage of total income rose correspondingly. Tewkesbury was very dependent on its revenue from church seating as one of its few regular sources of income, and was becoming more so over

Figure 6.3: Pew Rents as a Proportion of Total Parish Revenue, St. Mary's, Tewkesbury, Gloucestershire (1578-1624)



time (Figure 6.3). Pew rents were also one of its most substantial sources of revenue. In the seven years between 1611 and 1618, a remarkable £103 16s 8d was raised, and in 1590 when new seats were built, pew rents accounted for half of the year's receipts. At St. Michael's, pew rents remained a steady income at around a tenth to a fifth of total revenues, alongside the Easter collection and the rent of property. This suggests that what may be described as a 'traditional' form of revenue raising could coexist with pew rents.

The Dorset parish of Sherborne perfectly exemplifies a church whose response to the decline of its ales did not necessarily lead them to rent out their pews as a main source of income, even though there was an established precedent for pew allocation.⁷⁷ Sherborne had a lively communal life focused around the church. The church held elaborate plays annually until around the middle of Elizabeth's reign, and occasionally thereafter.⁷⁸ Evidence from the early churchwardens' accounts suggests that church ales had long been held at Whitsuntide.⁷⁹ After 1580, the presence of a puritan minister exerted considerable influence over the parish and threatened the survival of the traditional church ale. After 1600, money was raised primarily by 'gatherings' made at an annual parish dinner.⁸⁰ However, at the beginning of the reign of James I, the investigation of an itinerant bull-keeper uncovered the continuing practice of church ales at Sherborne. The flouting of prohibitions against ales and revels by a number of parishes including Sherborne, provoked an order in 1609 by the Somerset JPs, and

⁷⁷ DRO PE/SH CW4/3/1: Plan of Pews, Sherborne, 1704; PE/SH VE1: Sherborne Book of Church Orders.

⁷⁸ Underdown, *Revel, Riot and Rebellion*, p. 46.

⁷⁹ 'Sherborne, All Hallows Churchwardens' Accounts', *SDNQ*, vol. xxiii (June, 1941), p. 25.

⁸⁰ Underdown, *Revel, Riot and Rebellion*, pp. 97, 53.

again in 1612, repeating the prohibitions and ordering every parish to adopt a rating system.⁸¹

Despite the lack of documentary evidence, it is clear that the revenue raised at Sherborne comprised of a number of methods, including church ales that were eventually replaced by a system of rates. The evidence from the printed churchwardens' accounts from the period just prior to the dissolution of the abbey show that the income raised by pews in this period reached a peak of only 4.4 percent of total revenue in 1534, and fell to less than one percent in 1528. Pews accounted for a continual but small part of parish revenues in Sherborne, although it is unlikely that they ever constituted a considerable proportion of that income.

Similarly, in the rural parish of Hartland (Devon), situated on the north Devonshire coastline, most income came from a communion fee, gifts of sheep and money bequeathed to the church, and a collection.⁸² In 1597, seats were set up over a period of four days. There were a small number of disputes over seating in this parish, actions brought by the wardens who did not lightly suffer those who did not observe their rulings on the order of seating.⁸³ In 1614, the churchwardens paid Lawrence Deyman 10s 'for the recording of ye order for the seats'.⁸⁴ Nonetheless, pew payments in this parish appear to have provided an erratic and nominal income, only occasionally consisting of more than two percent.

The churchwardens of the village of Cerne Abbas (Dorset) predominantly derived their income from the church rate and Easter collection.⁸⁵ Although payments

⁸¹ Underdown, *Revel, Riot and Rebellion*, p. 98.

⁸² Ivon L. Gregory (ed.), *Hartland Church Accounts, 1597-1706* (Frome, 1950).

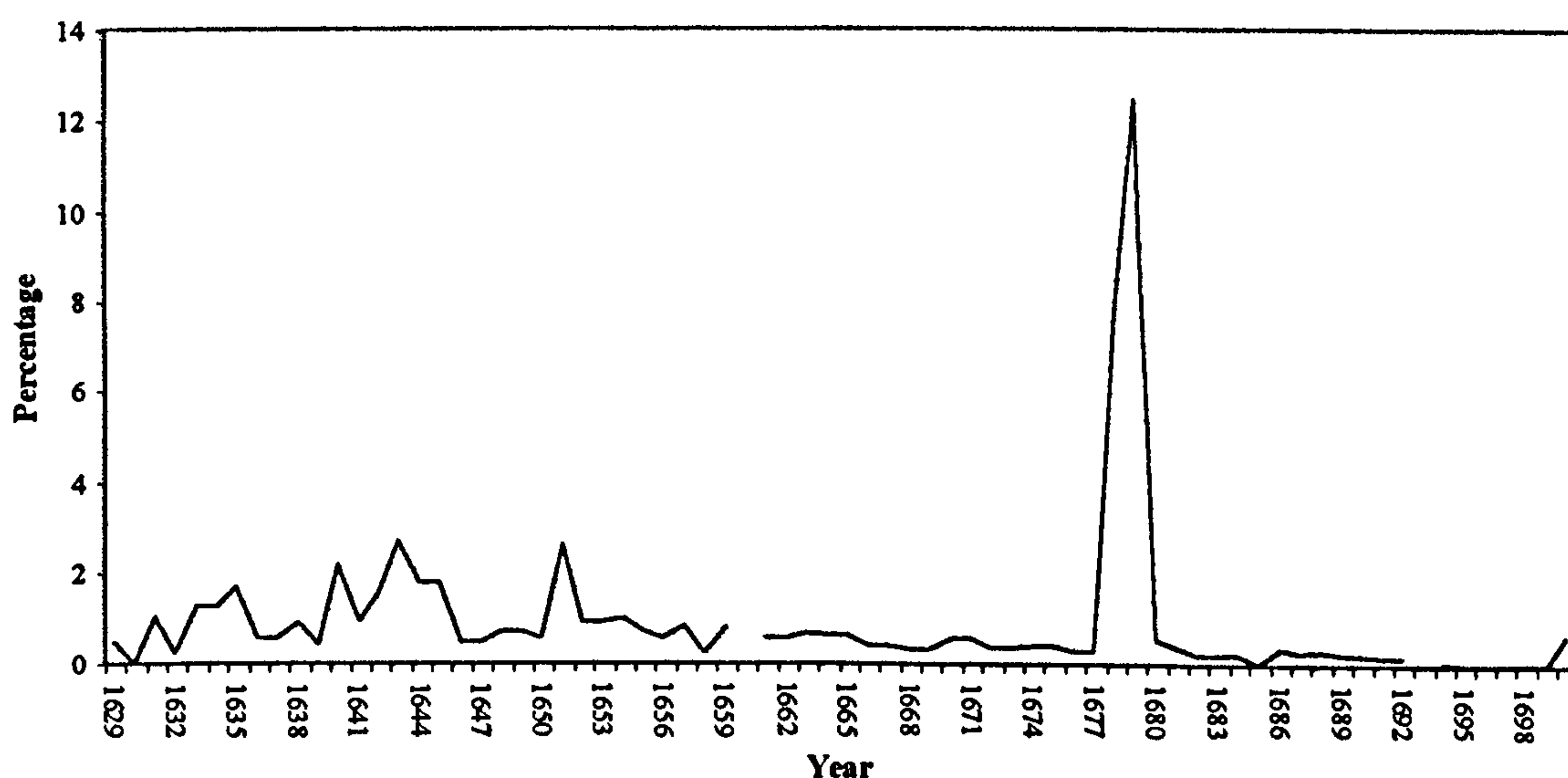
⁸³ Gregory (ed.), *Hartland Church Accounts*, pp. 72-3.

⁸⁴ Gregory (ed.), *Hartland Church Accounts*, p. 73.

⁸⁵ DRO PE/CEA CW1/1 and 2: Cerne Abbas Churchwardens' Accounts 1628-1685 and 1685-1700.

for seats were a constant source of income in this rural parish, pew payments only accounted for, on average, less than two percent of the total revenue (Figure 6.4). The exception to this pattern was towards the close of the 1670s where payments reached a peak of over 12 percent of total revenues. In these two years, a rate was not levied on the parishioners suggesting that this income *could* play an important role in maintaining parish finances in years of difficulty or crisis.

Figure 6.4: Pew Rents as a Proportion of Total Parish Revenue, Cerne Abbas, Dorset (1628-1700)



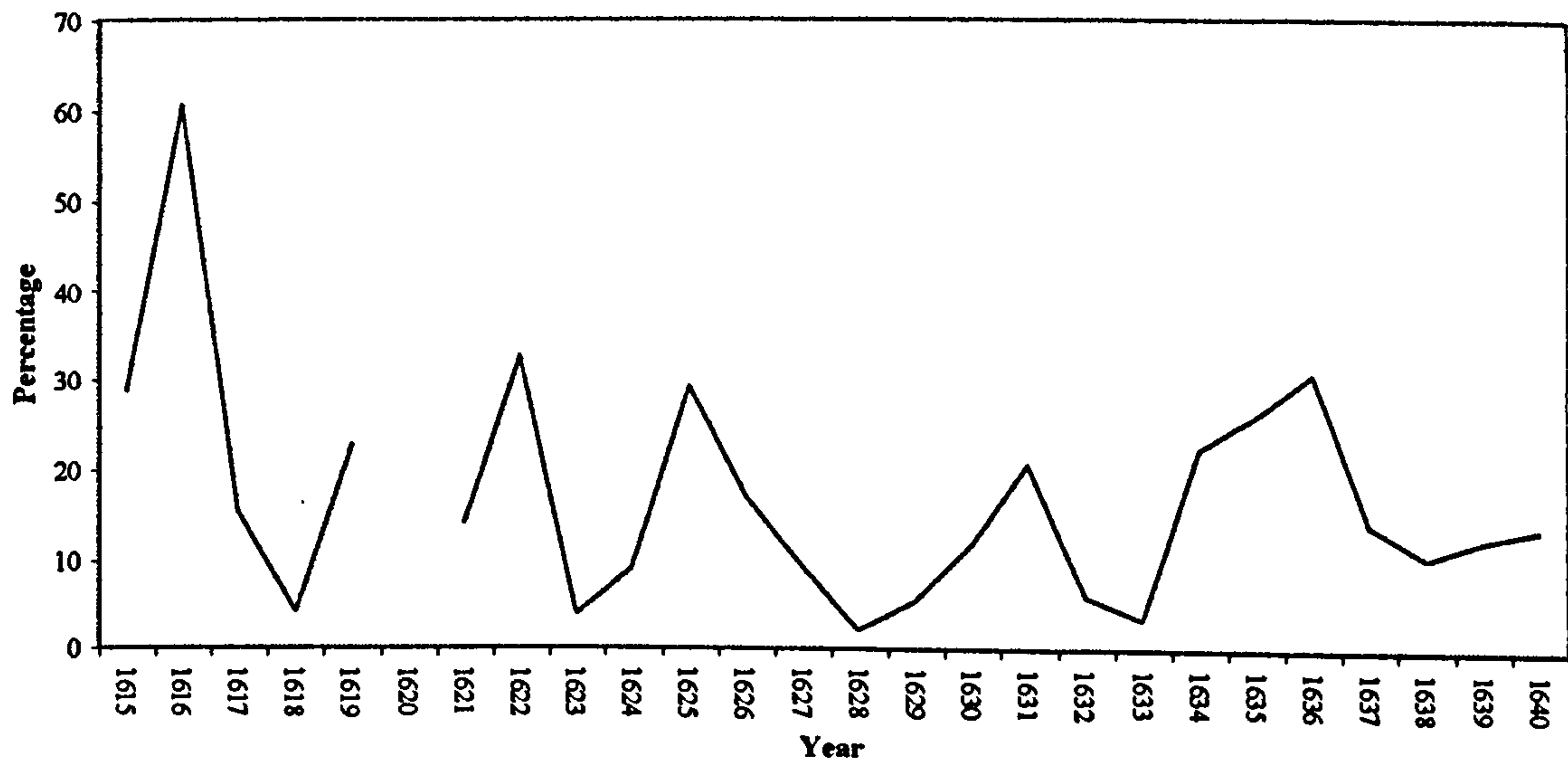
The significance of pew payments in years of particular strain is also evident in the parishes of Holy Trinity, Dorchester (Dorset) and of St. Mary's, Lichfield (Staffordshire). The churchwardens' accounts from Holy Trinity in the town of Dorchester include payments for pews, a seating plan for 1617/18 and a list of the amount paid for seats.⁸⁶ The seating plan was drawn up only four years after a disastrous fire had consumed much of the town.⁸⁷ Following the fire, Puritan reformers

⁸⁶ DRO PE/DO (H.T.) CW1: Dorchester (Holy Trinity) Churchwardens' Accounts.

⁸⁷ For the context of this see David Underdown, *Fire From Heaven: The Life of an English Town in the Seventeenth Century* (London, 1992).

embarked on a series of elaborate schemes combining discipline with relief that was financed by profits from the municipal breweries. In the years following the fire, the revenues raised at Holy Trinity came from rents, rates, the Easter collection and pews. Pew payments at Dorchester accounted for an average of seventeen percent of its total annual revenue (Figure 6.5). The prominence of pews in the early years of the accounts can in part be explained by the need to rebuild all the seats in the church as well as the church itself. At Holy Trinity the income from pews remained a central part of the parish’s fiscal regime even alongside the more recent introduction of the church rate, and the more ‘traditional’ Easter collection.

Figure 6.5: Pew Rents as a Proportion of Total Parish Revenue, Holy Trinity, Dorchester, Dorset (1615-1640)

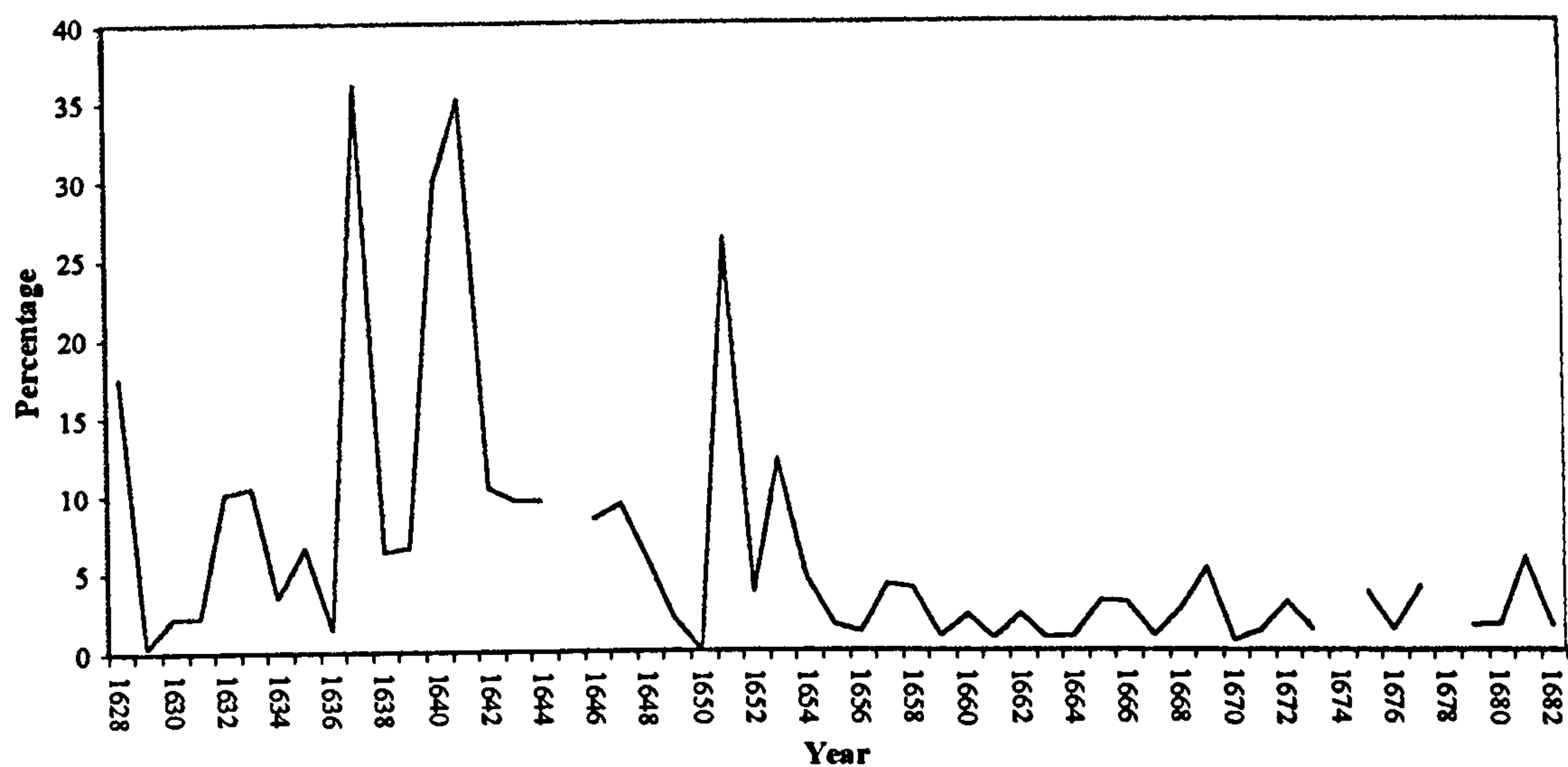


Situated in the city of Lichfield, St. Mary’s parish received most of its income from rents and church ‘lewnes’, as well as from pews.⁸⁸ Pew payments were a regular feature of parish finances at St. Mary’s and were particularly prominent during the 1630s and during the civil war period where they accounted for as much as 35 percent

⁸⁸ LRO D/20/4: Churchwardens’ Accounts of St. Mary’s, Lichfield 1627-1682.

of total revenues (Figure 6.6). The income derived from pews was particularly important during the 1640s when rates were not collected as regularly as they had been in the previous decade. It is possible, therefore, that the churchwardens used the material resource of pews in the 1630s and in the early civil war years in order to encourage parishioners to pay towards the maintenance of the church. This strategy was strengthened by a seating list drawn up in 1630, recording each seat, its occupant and their respective payments. However, from the mid-century onwards, pew payments

Figure 6.6: Pew Rents as a Proportion of Total Parish Revenue, St. Mary's, Lichfield, Staffordshire (1628-1682)



played a nominal role in revenue raising, with rents and church rates and levies accounting for the greater part of the income of the parish.

Although pews might have had economic consequences due to their close link with the payment of rates in many parishes, and that pew rents might have a disproportionate impact in years of refurbishment or of particular strain, it is clear that income from seats was rarely decisive. Indeed, of the parishes in this sample where pew

rents were introduced, they rarely contributed more than one seventh or 13 percent of total parish income. Only in exceptional years were they any more significant than this.

4) The social significance of pew rental schemes

As we have seen, both Underdown and Hill have attempted to explain the motives behind the introduction of pew payments as a reflection of the trend towards the 'modification of the old customary system by permitting the wealthier parishioners to pay for, and thus control, their seats'.⁸⁹ Where pew payments *were* introduced, Underdown argued that they were a means by which status and wealth could be more readily determined than by the allocation of seats by the churchwardens. The validity of this view can be tested by examining both the level of payments for pews and their gradation. This would allow for the consideration of whether some individuals were excluded from particular seats purely on the basis of what they could afford.

In the London parishes considered by Dillow, a system of quarterly rents could indeed work to the exclusion of the poorer sort. In these parishes, the average minimum payment for a pew was 1s 3d per annum and the maximum was 5s 11d. However, there was a considerable degree of variation between the parishes. For example, the minimum annual payment at St. Margaret, New Fish Street was 8d whilst the maximum was 2s 8d. At St. Christopher le Stocks the minimum payment was 8d and the maximum 9s 4d.⁹⁰ Likewise, when a system of quarterly pew rents was introduced at Lambeth in 1565, payments ranged from 2d to 12d.⁹¹ Similarly, at St. John's, Leeds in 1675, the maximum payment for a pew was 12s 6d, the minimum 1s.⁹² A similar pattern was evident at Darwen (Lancashire) in 1637 where the highest amount charged for a pew

⁸⁹ Underdown, *Revel, Riot and Rebellion*, pp. 30, 33.

⁹⁰ Dillow, 'Church-Seating Arrangements', pp. 107-8.

⁹¹ Drew (ed.), *Lambeth Churchwardens' Accounts*, p. 195.

⁹² BI CP.H 3188 1675: Leeds, St. John.

was 18s, the lowest only 1s.⁹³ Payments in each of these parishes were graduated, in some cases with increments as small as 1d. Furthermore, the cost of particular seats at Darwen in 1637 suggests that certain places in the church were more prestigious than others. For example, a seat below the south chancel and near to the pulpit cost between 6s 8d and 18s, whereas a seat in the chancel itself cost between 3s and 6s 8d.⁹⁴ These figures might at first indicate a highly stratified system of rents. However, the number of seats available at each price suggests that seats were not necessarily assigned by a simple system whereby status and wealth were reflected in the amount an individual could pay for a seat. For example, the seats in the nave at St. Margaret, New Fish Street (London) were only divided into two payment categories.⁹⁵ In parishes that adopted a system of annual or life payments, a similar trend is evident. At St. Lawrence (London) those parishioners paying 1d had 161 places where they could potentially sit.⁹⁶ Indeed, life payments tended to be relatively low, such as those at St. Michael's in Bedwardine (Worcester) where payments started at 4d and only rose to 2s.⁹⁷ This would indicate that payments were not necessarily a certain guide to the position of an individual in the church. This is particularly clear in the pew list from Darwen in 1637 where pew fellows did not always pay an equal amount for their seats.⁹⁸ It is likely, therefore, that even in churches where payment systems existed, the churchwardens continued to play a central role in allocating seats in church according to the criteria discussed in chapter two above.

⁹³ CRO EDC.5 (1637), 22: Darwen.

⁹⁴ CRO EDC.5 (1637), 22: Darwen.

⁹⁵ Dillow, 'Church-Seating Arrangements', p. 108.

⁹⁶ Dillow, 'Church-Seating Arrangements', p. 110.

⁹⁷ John Amphlett (ed.), *The Churchwardens' Accounts of St. Michael's in Bedwardine, Worcester 1539-1603* (Worcestershire Historical Society, 1896), p. xv.

⁹⁸ CRO EDC.5 (1637), 22: Darwen.

That the churchwardens and other parish elites continued to play an important part in the assignment of seats, even in parishes where pew rental schemes existed, is evident in our sample of churchwardens' accounts. In 1575, the churchwardens of Holy Trinity, Chester asserted that the parties in a dispute were no longer to claim the seat in question to their house, but rather, they were to 'submitt themselves to be placed where it shall seeme good to the churchwardens'. From that time onwards, the churchwardens ordered that 'no parishioner shall henceforth clayme any forme . . . and every of them shall be placed from tyme to tyme where . . . it shall seem good to the churchwardens'.⁹⁹ The churchwardens clearly hoped to avoid future controversy and assert their power to order the parishioners in their seats. The parish records for Sherborne indicate that by 1628, the vestry had claimed the right to order and confirm all seats allocated by the churchwardens.¹⁰⁰ Likewise, in Lambeth, where a system of quarterly rents was implemented in 1565, the vestry minutes suggest that by 1610 the vestry had appropriated the power to control the allocation of the pews in the church from the churchwardens.¹⁰¹ At St. Oswald's, Durham, payments for pews were for life at the cost of 4*d*, whilst a fee of 2*d* was payable for the renewal of that privilege on the death of the occupant. On the exchange of a pew in the church, parishioners sought the consent of the churchwardens and thereafter made a payment.

The centrality of the role played by the churchwardens and other parish elites is also evident in the records of pew disputes heard before the ecclesiastical courts in our period. At St. John's, Chester, in 1595 the parishioners elected six of the 'honest and more substantial men' to 'appoint and assigne to everie one a fitt and convenient place .

⁹⁹ Beresford (ed.), 'The Churchwardens' Accounts of Holy Trinity, Chester', pp. 125-6.

¹⁰⁰ DRO PE/SH VE1.

¹⁰¹ Drew (ed.), *Lambeth Churchwardens' Accounts*, p. lii.

. . . decent for everie of them in their severall callings And also to possesse suche somes of money as everie one so by them placed shulde paie'.¹⁰² At St. Oswald's, Chester, in 1628 churchwardens placed parishioners according to their 'estate quallitie and degree' and then 'received xiid of everie one so placed'.¹⁰³ A similar pattern was evident in another Chester parish. At St. Peter's the churchwardens allegedly had 'the power of placing persons on seates' in 1668 upon payment of 12*d*.¹⁰⁴ In 1629, Mary Drayton of Nuneaton (Warwickshire) was placed in a seat by the churchwardens and 'accordinge to the Custome' of the parish, made a payment.¹⁰⁵ Likewise, following her placement in a seat by the churchwardens of Clifton upon Dunsmore (Warwickshire) in 1627, Agnes Hicke paid 6*d* towards the maintenance of the church.¹⁰⁶ Allocations were often, therefore, made on the *expectation* of a payment.

Moreover, even in parishes where life payments were adopted, placement by the churchwardens was more regular than one might imagine. This was because payments were not for life as such, but rather for the length of time during which an individual resided in the parish. This was the case at a number of parishes, including Sherborne (Dorset), Tewkesbury (Gloucester), St. Edmund, Salisbury (Wiltshire) and at Houghton-le-Spring (Durham).¹⁰⁷ Seats were, in these cases, returned to the control of the churchwardens and other parish hierarchies to order accordingly. Furthermore, in St. Edmund's, Salisbury, Houghton-le-Spring and St. Oswald's (Durham), and St. Alkmond's (Salop), for example, the churchwardens charged a fine for the *exchange* of

¹⁰² CRO EDC.5 (1595), 1: Chester, St. John.

¹⁰³ CRO EDC.5 (1628), 2: Chester, St. Oswald.

¹⁰⁴ CRO EDC.5 (1668), 18: Chester, St. Peter.

¹⁰⁵ LRO B/C/5 1629: Nuneaton.

¹⁰⁶ LRO B/C/5 1628: Clifton upon Dunsmore.

¹⁰⁷ DRO PE SH VE/1; Dillow, 'Church-Seating Arrangements', pp. 111-12.

seats between parishioners.¹⁰⁸ This would suggest that in those parishes adopting payment systems, the amount received by the churchwardens was not explicitly related to the allocation of a specific seat. Rather, it was part of a locally defined system of allocation by the churchwardens and other parish hierarchies. *Payments* for pews were not, therefore, a direct means of reflecting status and wealth.

III

Conclusions

It is clear from the figures in this sample that income raised from pews could account for between 0 percent (in the Hertfordshire parishes) and 70 percent (at Tewkesbury) of a church's annual revenue. In most cases, however, pew rents were a much smaller proportion than at Tewkesbury. Indeed, the average annual contribution of pew rents to those churches that adopted a payment system was 13 percent. These results suggest the variety of responses possible to changes in policy and in financial circumstances. Churches like those in Ludlow and Minchinhampton were not forced to implement a system of pew rents as a result of reforming tendencies. Indeed, the parish of St. Michael's in Bedwardine and its neighbouring parish of St. Helen's had used a system *prior* to the Reformation. The results from the parishes in Hertfordshire show that there were other means by which revenue could be raised and that the existence of seats did not necessarily imply the collection of rents. In addition they suggest that a division between urban and rural areas might not be so distinct as historians have

¹⁰⁸ Dillow, 'Church-Seating Arrangements', p. 112; Barmby, *Churchwardens' Accounts of Pitlington and other Parishes in the Diocese of Durham from A.D. 1580 to 1700* (The Surtees Society, 84, 1888), p. viii; LRO B/C/5 1684: Barton under Needwood.

claimed with regard to the decision to rent pews.¹⁰⁹ Pews were not sold at Bishop's Stortford or Baldock. However, in the rural Durham villages of Pitlington and Houghton-le-Spring there is evidence of payment systems. In Tewkesbury the reluctance to levy a compulsory rate was reflected in the churchwardens' consistent use of a payment system to allocate pews. For some churches, pew rents were probably a preferable option, as a system of some form might have already existed. Pew rents may also have been easier to collect particularly since parishioners were able to enjoy that which their money had bought on weekly basis. Each locality responded to change in a different manner, and in terms of its own delicately balanced burden of resources and liabilities.¹¹⁰

The results from the statistical analyses of the income derived from pew rents imply that nineteenth century polemic has distorted the historical reality of seating disputes in early modern English parish churches.¹¹¹ With the pressures on churchwardens to provide funding for the changes implemented by central government, pew rents should be viewed as an innovative use and extension of a long established practice of providing seating in return for a fee. In the context of profound religious and political change, revenue from pews appears to have been a relatively stable source of fund-raising, remaining largely unchanged despite the constant upheavals in the financial regimes of local parishes. Changes in parish financial regimes were not only governed by fast-moving political and religious events. Evidence of pew payment

¹⁰⁹ French, 'Parochial fund-raising', pp. 118-19.

¹¹⁰ Steve Hindle, 'Power, Poor Relief and Social Relations in Holland Fen, c.1600-1800', *Historical Journal* (1998), 92-6; Patrick Collinson, 'De Republica Anglorum or, History with the Politics Put Back', in Patrick Collinson, *Elizabethan Essays* (London, 1994), pp. 1-30.

¹¹¹ See Chapter 1 above; and cf. Diarmaid MacCulloch, 'The Myth of the English Reformation', *Journal of British Studies*, 30 (January, 1991), 1-19.

systems from the early fifteenth century suggest that some of these changes were gradual, and governed by forces other than the upheavals of the Reformation period.¹¹²

Evidence from ecclesiastical court records and churchwardens' accounts together suggest that pew rental schemes might have been more common than estimates based upon churchwardens' accounts alone. Furthermore, the sample analysed in this chapter reveals that over half of the parishes that adopted a payment system did so from the second half of the sixteenth century and into the seventeenth century. Whilst this evidence might at first appear to support Underdown's thesis, the explicitly cited *motives* for the implementation of payment systems indicate that they were in fact adopted for a variety of reasons. Moreover, the consideration of both the levels of payments for seats and their gradation was suggestive. Pew payments made a difference to the social order and the way in which it was constructed and represented, but not quite in the way that Underdown surmised. Rather, pew payments were part of a locally defined system of allocation by the churchwardens and other parish elites. Pew payments were, therefore, not a *direct* means of reflecting status and wealth. Although pew rents did come into operation in some places, parish officers still retained their discretion to insist on placing parishioners according to their *status*, which was, as we have seen, made up of a much more complex series of factors than mere *wealth*.

Although the figures in this sample do not include many details of the 1630s, the evidence from Tewkesbury is suggestive. It is possible that if churches like these were becoming increasingly dependent on their income from pews, Laudian innovations, exacerbated by searching visitations and increasing prosecutions (even in some cases in

¹¹² Peter Laslett, 'Social Structural Time: An Attempt at Classifying Types of Social Change by Their Characteristic Paces', in Michael Young and Tom Schuller (eds), *The Rhythms of Society* (London, 1988), pp. 17-36.

the central courts), could be perceived as financially threatening. The expenditure on the repair and ornamentation of pews and a communal sense of pride in the local parish church may have further aggravated the situation. Payment systems, like that at St. Mary's, Leicester, helped churchwardens to regulate and maintain some authority over the allocation of seats in the face of increasing central ecclesiastical and secular control in the form of faculties and prescriptive titles. Encroachment from the centre over the right to allocate seats in church and to control the revenues invested and received from this source might have provoked contention.¹¹³ Nevertheless, whilst in some places and in certain years, pew rents could account for a significant proportion of income, especially during periods of rebuilding, of re-seating and of particular strain, by and large the proportions are relatively low. Whilst not negligible, they were nonetheless small. There is little evidence of parish dependence on pew rents: the income from church seating was never decisive. Indeed, financial considerations did not, predominantly, loom large in disputes. Rather, symbolic significance and jurisdictional issues seem to have been much more important. Overall, parish financial regimes were dictated by *local* circumstance and *local* custom. This underlines the importance of tracing pew allocation and conflict in its local context.

¹¹³ Beat Kumin, 'The fear of intrusion: communal resilience in early modern England', in William G. Naphy and Penny Roberts (eds), *Fear in Early Modern Society* (Manchester, 1997), pp. 118-136.

Chapter Seven

Pews and the Politics of the Parish: Three Case Studies

The impact of social, economic, and religious change in early modern England was experienced at the *local* level, and manifested itself in a number of different ways. The purpose of analysing in depth the surviving material from the parishes of Solihull (Warwickshire), Halifax (Yorkshire, West Riding), and Macclesfield (Cheshire) here is to illustrate the enduring significance of conflict over pews *within* individual communities. While the previous chapters have indicated the chronological incidence and geographical spread of pew disputes, the purpose here is to indicate the local social meaning of conflict over church seating as it erupted in the context of a particular parish over a number of years. Pew disputes had a profound impact on social relations and social memory whenever and wherever they occurred. These case studies are, therefore, offered as evidence of the *texture* of social conflict.

All of the parishes discussed here were large, wood-pasture areas, and both Halifax and Macclesfield were made up of multiple townships. Halifax and Macclesfield were both cloth-making towns, although the chronology of their industrial development was rather different. By contrast, Solihull was largely a rural parish that had a low population density in the sixteenth century. Each parish experienced social, economic and demographic change in different ways. Although Solihull, Halifax and Macclesfield were geographically diverse and economically different, however, these distinctions cannot override the similarity of the experience of pew disputes, for in each community the re-pewing represented a shock to local identity and memory, which was to be remembered for years to come. Even though several of the themes of the

foregoing chapters are prominent in the individual pewing histories recounted here, each of these case studies has been chosen to represent the significance of one particular theme in its local context. Solihull perfectly manifests the ambiguities of pew allocation an environment where status ascription was peculiarly complex; and Halifax illustrates the intensity of social conflict and the violence that might result even amongst women. Macclesfield, the most richly documented of the cases, represents in all too vivid form the hold that the church-seating plan might exert over local custom and memory, being recalled by the oldest parishioners well into the latter stages of their lives.

I

Pews in Solihull Parish Church 1534-1720

The 11,296 acres of wood pasture that made up the parish of Solihull (Warwickshire) were situated in the low, undulating land nestled between the rivers Cole and Blythe on the eastern flank of the Birmingham plateau. The parish had formerly been part of the Forest of Arden, and fell under the ecclesiastical jurisdiction of the diocese of Coventry and Lichfield. From the mid-fifteenth century the parish had become characterised by a pastoral economy. The damp, clay lands encouraged the emphasis on cattle, the rearing of calves, a small amount of dairying and, in particular, the production of beef.¹ The economy of the parish could support relatively few people and Victor Skipp has estimated that the population density for the parishes of Elmdon, Sheldon, Bickenhill, Yardley and Solihull were still as low as one household to 57 acres

¹ Victor Skipp, *Crisis and Development: An Ecological Case Study of The Forest of Arden 1570-1674* (Cambridge, 1978), pp. 5-9.

in 1525.² The population growth of the 1570s to the 1640s, therefore, had a profound effect upon the communities of the Forest of Arden. The overall population increase in this area between 1570 and 1640 was 50 percent, but the growth rate was uneven. In the last twenty-five years of the sixteenth century the increase was 45 percent, whereas in the first quarter of the seventeenth century it was only 21 percent. The growth rate was exceptionally high between 1625 and 1650, reaching 62 percent. The Solihull parish registers suggest that this increase was made up of a combination of indigenous growth and an influx of immigrants.³ Parochial and manorial authorities actively sought to discourage immigration. Thus in 1632, an enactment of the Solihull court leet forbade anyone to 'receive into his house any person other than a child or children without they give security that the parish shall not be burdened'.⁴

The hardships endured by the landless in Solihull during this period are evident in the parish records. However, the parish provided for its deserving poor and, in all, around one in four households received a payment of some sort from the overseers between 1663 and 1680. Furthermore, private benevolence had long been established in the parish. In 1605, Thomas Wheatley's dole was distributed annually to 'four decayed tradesmen', providing each recipient with a payment of 10s.⁵ Likewise, from 1686, four poor householders were chosen by the minister and churchwardens to receive Mr. George Palmer's dole. However, for those able to take advantage of the changing economic situation, the late Tudor and early Stuart period was a time of unparalleled prosperity. The local community in Solihull was divided between those that financed

² Skipp, *Crisis and Development*, p. 9.

³ Skipp, *Crisis and Development*, pp. 13-18.

⁴ Skipp, *Crisis and Development*, p. 30. See also, Steve Hindle, 'Exclusion Crises: Poverty, Migration and Parochial Responsibility in English Rural Communities, c. 1560-1660', *Rural History*, 7:2 (1996), 125-49.

⁵ Skipp, *Crisis and Development*, pp. 111-12; 'Solihull Parish Book', p. 75, *passim*.

and administered the poor rate, and those that received it. However, unlike the processes of polarisation experienced in parishes such as Chippenham (Cambridgeshire), smallholders that held between four and five acres played an active role in the administration of the parish. Indeed, of the 115 parochial officers elected between 1642 and 1664 who can be traced in the hearth tax returns of 1663 and 1674, 53 percent paid on only one hearth. Smallholders also often served as one of the seven surveyors of the highways. As subordinates in certain social contexts, smallholders were superordinate in others. It is arguable that with just under half of the parishioners beneath them in the socio-economic scale, smallholders who held offices in Solihull were not only members of the parochial establishment, but also numbered amongst those who described themselves as the ‘best sorte of the parishe’.⁶

It was in this social and economic context of change, immiseration and opportunity that the churchwardens of Solihull allocated the seats in their parish church. The source material for Solihull includes only two sets of cause papers from 1591 and 1720 relating to faculty cases for pews heard before the bishop’s court.⁷ However, an extensive body of ‘fines’ or pew payments for the period 1534-1720 survives in the church book. In this case the details of pew payments have been entered into a database consisting of 294 named individuals, through which pew ownership can be linked to details of office-holding and social status (as indicated by such measures as the hearth taxes of the 1660s and 1670s, and the listings of recipients of the two parish doles).⁸ Furthermore, the church book includes a description of the re-ordering of 1679.

⁶ Skipp, *Crisis and Development*, pp. 79-80.

⁷ LRO B/C/5 1591: Solihull; LRO B/C/5 1720: Solihull.

⁸ ‘Solihull Parish Book’, *passim*; WRO QS 11 (5): Hearth Tax Returns 1663 (Michelmas); WRO QS 11 (59): Heath Tax Returns 1674.

Deponents and disputants alike referred to evidence of the re-seating of 1679 in a faculty case heard over forty years later.

The Power to Order

Following his appointment as rector in 1660, Henry Greswold indexed the church book. His concerns and those of the parish were reflected in his pattern of indexing, which included, amongst other things, the allocation of and payments for seats.⁹ The parish book is a record of the fluidity of the seating plan and therefore of the local social hierarchy over time. The first recorded payment for a seat in the church book was in 1534, when Anna Denton paid the churchwardens four pence for a seat. Payments for pews, however, did not become a more regular feature of parish income until the 1580s. By the 1620s the allocation of pews by the churchwardens in return for a payment of four pence had become described as ‘the ancient custome of the said parishe’.¹⁰ Thus, when Henry Averell built a seat in the north end of the church in 1622, it was appropriated to his house and ‘accordinge to the Custome’, he ‘payde four pence’.¹¹ For a period of almost two hundred years the customary payment of four pence for each seat in the church remained. The payment was not an annual rent, nor was it dependent upon the position of the seat. Instead, it was a one off payment, a fine, made each time the ownership of a pew changed. Thus in 1626, Henry Palmer, high constable, and his son were granted seats in the church for which they ‘paied ther fines according to the ancient custome’.¹²

The tradition of pew payments was accompanied by the customary allocation of parishioners by the churchwardens of Solihull whose decisions were based upon a range

⁹ ‘Solihull Parish Book’, pp. 3-13.

¹⁰ ‘Solihull Parish Book’, p. 140.

¹¹ ‘Solihull Parish Book’, p. 276.

¹² ‘Solihull Parish Book’, p. 140.

of criteria. In 1581, the churchwardens allowed some of the parishioners to build seats 'by our consent'.¹³ In a pew dispute in 1591, John Ball testified that he had 'hard saye that the churchwardens of Solihull have authoritie to place any person in any seate that is voyde and the partie so placed is to paye iiid . . . to be imployed to the use of the church'. However, Ball added the caveat that the churchwardens were 'not to displace any one that is in the seate before.'¹⁴ In 1581, Henry Higford was granted a room in the north chancel 'by the consent of them that had taken seates ther before'.¹⁵ Although the churchwardens played a pivotal role in the allocation of seats, their power to place was restricted to empty spaces and those places not held by a prescriptive title. The churchwardens' authority was also circumscribed by the influence of other parish elites. When Henry Greswold, rector of Solihull, built a seat adjoining the pulpit and reading desk in 1663, it was confirmed to him and his heirs at a 'full parish meeting' by the churchwardens and 'others the sufficientest of the Inhabitants'.¹⁶

The intricate meshing of the different hierarchies that claimed the power to allocate pews at Solihull is most clearly evident during the refurbishment of 1679. The vicar-general of the diocese had granted a commission to the church in 1679 to erect new seats. The commission consisted of George Downing, the Archdeacon of Coventry; Emanuel Lugg, rector of Berkswell; and Richard Low and William Saddler of the parish of Aston. However, the commissioners were ordered to seek 'the advice and consent of Thomas Archer, Esq., then Lord of the Mannor of Solihull'.¹⁷ Moreover, at a parish meeting held in November 1684, the churchwardens, 'for what power they had therein',

¹³ 'Solihull Parish Book', p. 90.

¹⁴ LRO B/C/5 1591: Solihull.

¹⁵ 'Solihull Parish Book', p. 90.

¹⁶ 'Solihull Parish Book', p. 229.

¹⁷ 'Solihull Parish Book', p. 336.

granted certain parishioners the 'liberty to build . . . ten new seats'. After the seats were built they were allocated to the parishioners by the churchwardens and the commissioners, 'by the approbation of Squire Archer'.¹⁸ A faculty from the bishop then confirmed the final seating order. Thus the power to order the pews in Solihull was a delicate balance between the secular and the spiritual, the local and the central, authorities.

Social Status and Social Change

The descriptions of the seating order given by disputants and witnesses alike in *Holbech c. Greswold* (1720) and from the records of the refurbishment of 1679 in the church book provide two snapshots of the pew plan in Solihull.¹⁹ In 1720, Andrew Archer, the rector of Solihull, described the seating order according to the position of the pews in relation to the pulpit and reading desk, and the social status of the pew occupants. Archer testified that all 'the best' seats in the church were appropriated to particular families who had been 'seated according to their Rankes and qualitys'. The 'poores benches' were situated in a number of places in the church, and some even stood before the seats of 'substantial Farmers in the parish near to the minister and stand lowe enough for hearing'. There were also, Archer alleged, seats behind those of the farmers that were 'pretty much used by the poor people and such as have no seats belonging to their houses, but many of the meanest people sit on benches fixt to the north and south walls of the Church'. The unappropriated seats Archer referred to were, he claimed, 'seldome used' as they were 'so far out of hearing'. Archer testified that these pews were 'never designed to accommodate Gentlewomen'; whilst Thomas James

¹⁸ 'Solihull Parish Book', p. 333.

¹⁹ LRO B/C/5 1720: Solihull; 'Solihull Parish Book', pp. 324-37.

claimed that they were intended for 'poor people or servants'. However, James further deposed that the poor chose not to sit in these seats because of their distance from the pulpit and proximity to the door, which left the pew occupants 'exposed to the severity of the weather'. The poorer sort of Solihull evidently had a preference for seats closer to the pulpit and further from the east door. However, not all parishioners necessarily had a choice but to sit in these seats. Indeed, Henry Dawes alleged that the seats under the belfry and near to the church door had been purchased for a 'poor insolvent tenant', but 'that the scholemaster and his scholars of the freeschool sometimes sit on some of them'.²⁰ The parish book confirms Dawes' testimony. Moreover, in 1665, Joseph Bent paid for a seat in the 'east corner att the bellfry doare'.²¹ In the Hearth Tax returns for 1663, Bent was registered as having only one hearth, and in the 1674 returns he was certified a pauper. Bent was a recipient of Wheatley's Dole in 1686 and of Palmer's Dole in 1691.²² Similarly, in 1671 Thomas Field, a tanner, paid for a seat under the belfry loft next to the schoolmaster. Like Bent, Field was certified a pauper in 1674 and had been a recipient of Wheatley's Dole five times between 1654 and 1679.²³ There were gradations even within the ranks of the 'poor' in Solihull, and landless labourers and 'decayed tradesmen' appear to have had little choice in their placement in pews far removed from the foci of worship.

In 1679 the church was re-seated following the complaints of 'severall others of the sufficientest Inhabitants' that

the farr greatest part of the seats . . . in the . . . nave of the said church are much out of repair and ruinous: All the rest of them ununiform and irregular and some

²⁰ LRO B/C/5 1720: Solihull.

²¹ 'Solihull Parish Book', p. 255.

²² WRO QS 11 (5): Hearth Tax 1663 (Michelmas); WRO QS 11 (59): 1674 Hearth Tax.

²³ 'Solihull Parish Book', p. 283; WRO QS 11 (59): 1674 Hearth Tax.

of them unfitly and absurdly placed: to the great disgrace of the goodly structure of the said Church, and to the offence and hinderance of the Congregation.

After the refurbishment was completed, twenty-nine of the most prominent families in the parish were granted places under the central tower and the east end of the nave. The seats were positioned around the pew of Andrew Archer and the minister, Henry Greswold. The Palmers, the Tandys, the Botts and the Dyalls had paid for their pews to be built and the seats were therefore ‘appropriated in perpetuity’ to their respective ‘Mansion houses’. The pews built ‘at the common charge’ in the central part of the nave, and set further back from the prescriptively held seats, were occupied by the lesser yeomen and husbandmen who paid a fee to the churchwardens upon their placement. It is evident that payments for pews in Solihull were not a means by which the poor or smallholders were necessarily excluded from holding a seat in the church. Indeed, a comparison of the customary payment with the hearth tax returns for the seventeenth century suggest that many households with only one hearth could *afford* to pay for pews. Nonetheless, no smallholders were recorded as having paid for a pew and it is likely that they occupied the common benches behind the farmers’ seats. As we have seen, they in turn were probably separated from poor rate recipients and landless labourers who sat on the poor benches beyond the south door and the poor box, far removed from their social superiors.²⁴

It is apparent, therefore, that certain spaces in the church were considered more eminent than others. In 1720, a seat belonging to Henry Greswold’s tenant at Malvern was situated ‘under the Belfry at the most easterly end of the said space the furthest eastward from the pulpit’, and was considered by Thomas James to be ‘one of the least

²⁴ ‘Solihull Parish Book’, pp. 336-7; WRO QS 11 (5); WRO QS 11 (59).

seats' in the church.²⁵ Evidence from the parish book suggests that not all spaces under the belfry were similarly stigmatised. Indeed, a previous officeholder and a two-hearth householder occupied the seat where the belfry joined the chancel door in 1656.²⁶ Nevertheless, the seats situated closest to the belfry were, on the whole, used by the servants and the tenants of some of the leading families in the parish, by those assessed on only one hearth, dole recipients and those who had never held parish office. However, these individuals *were* able to purchase their seats and were fortunate enough to claim a place of their own.

The women's seats placed beneath St. George's loft were occupied primarily by the wives or housekeepers of officeholders or those who, towards the end of the seventeenth century, were assessed on between one and three hearths. Like the seats under the belfry, however, some positions were less prestigious than others in this part of the church. In 1635, Henry Evens' wife was placed in the 'lomoste' seat under the loft. Unlike other pew holders in this part of the church, Evens had never held office.²⁷ The seats nearest the pulpit and reading desk on both sides of the nave were, not surprisingly, predominantly held by previous officeholders and their wives, alongside the minister, the Palmers of Ravenshawe and the Greswolds of Solihull Hall. The exception to this pattern was the wife of John Flavill who was placed next to the reading pew in 1664. As Flavill had never held office and was assessed on only one hearth in 1663, it is likely that either age or infirmity had played a part in his wife's placement.²⁸ Officeholding therefore appears to have been a key factor in determining status and position in the local social hierarchy, particularly since a large proportion of those

²⁵ LRO B/C/5 1720: Solihull.

²⁶ 'Solihull Parish Book', p. 210; WRO QS 11 (5).

²⁷ 'Solihull Parish Book', p. 162.

²⁸ 'Solihull Parish Book', p. 249; WRO QS 11 (5).

individuals who sat in this prominent position were assessed on only one hearth in 1663.²⁹

Indeed, there was a long established custom of placing parish officeholders in prominent seats in the church. When the commissioners for the re-seating had marked out spaces on the ground of the church in 1681, they included particular seats for Thomas Archer, the schoolmaster and schoolboys, for churchings, and for the church and parish officers. Of the 294 seats allocated by the churchwardens in return for a payment between 1595 and 1674, 48 percent were assigned specifically to parishioners that had at one time held office. Of the 142 seats granted to churchwardens, bailiffs and sidesmen over the same period, 31 percent were granted during their first year in office, and 55 percent within two years of their appointment.³⁰ Where eminence in Solihull parish was sought through the exercise of local political power, the confirmation of this position was reflected in an individual's position in the church.

Other factors that made up an individual's status are evident in the faculty material for the parish. The pews erected at the re-ordering in 1679 were granted specifically to *householders* in the parish and, moreover, the fourteen seats that had been left unappropriated were to be 'disposed to the inhabitants who are householders'.³¹ In *Holbech c. Greswold* (1720), Devoreaux Rogers inferred that Greswold was more deserving of a decent pew because his opponent had only 'lately com into the parish'.³² Holbech was a churchwarden at the time of the dispute, but Greswold's preeminence was, in part, based upon his long residence in Solihull.

²⁹ WRO QS 11 (5).

³⁰ 'Solihull Parish Book', *passim*.

³¹ LRO B/C/5 1720: Solihull.

³² LRO B/C/5 1720: Solihull.

Depositional evidence from *Holbech c. Greswold* (1720) further suggests that status was made up of a number of other factors. Thomas James described Greswold as a 'constant frequenter of his parish church' and the descendant of an 'ancient worthy family of quality'. Greswold's grandfather had been Henry Greswold, the previous minister of the parish. Whilst Henry Greswold was rector he had procured only two seats in the church, including a seat next to the pulpit that belonged to the rectory. The other seat had belonged to the 'old house', which was then a 'poor ordinary Farm house not worth above £40' that was farmed by a 'poor and insolvent tenant'. Not surprisingly, therefore, the seat was 'one of the least seats' in the church. Devoreaux Rogers deposed that Henry Greswold had only built two seats in the belief that his sons would not stay on in the parish after his death. However, not only his son but also his grandson remained in the parish, all the while improving their estate and social standing. By 1720, the 'old house' had become an 'outhouse' to a 'large stately mansion house' called Malvern Hall. Indeed, in 1720 Thomas James alleged that Greswold's estate in the parish was worth £1400, and Thomas Dawes deposed that Greswold was of 'a far superior Rank and quality' to Holbech. Greswold thus sought a position in the church to equal his wealth and status, and his changing personal fortunes.³³

The evidence considered here thus emphasizes the complexity of status ascription in a community where there were a large proportion of smallholders of equal or similar status. One means by which the churchwardens and other parochial elites sought to overcome this problem was through the allocation of seats by a variety of criteria, and in particular through the status accorded to those that exercised office in the parish. Although, therefore, wealth was clearly a factor in determining the placement of

³³ LRO B/C/5 1720: Solihull.

parishioners such as Henry Greswold, officeholding also played a central part in the allocation of pews in Solihull.

Waltham
office
left audience

II

Pews in Halifax Church in the Seventeenth Century

The wood pasture parish of Halifax in the West Riding of Yorkshire lay on the sloping declivities of the Pennine range and was dominated by moorland and the Coal Measure. As an ecclesiastical and civic unit in the sixteenth century, Halifax parish consisted of twenty-five townships, ten of which were in the parochial district and included Halifax, Sowerby, Northowram, Warley, Ovenden, Southowram, Hipperholm *cum* Brighouse, Skircoat, Midgley and Shelf. The other townships were divided between Elland chapelry and Heptonstall chapelry.³⁴ Halifax was the main town of the parish and had an active manorial court. However, the town remained under the jurisdiction of Wakefield manor and was the centre for the manor's court leet. The manor court, in effect, was fulfilling the role of a town government by assuming certain responsibilities. For as long as the court was held fairly regularly there probably seemed little need for a formal town government. There had been a group of men in Halifax who had attempted to secure a market charter, but the interests of the Waterhouse family, who farmed the rectory manor of Halifax, had been strong enough both in the 1580s and in 1607 to defeat these moves.³⁵

By the close of the fourteenth century, the population of Halifax had begun to devote more of their energies to the rearing of sheep and the woollen cloth industry. In

³⁴ Martha J. Ellis, 'A Study in the Manorial History of Halifax Parish in the Sixteenth and early Seventeenth Centuries', *Yorkshire Archaeological Journal*, 40 (1959-62), p. 251, n. 2.

³⁵ Ellis, 'A Study in the Manorial History of Halifax Parish', p. 440.

Halifax, the woollen industry developed within the framework of a rural community even as it became one of the chief producers of Kersey cloth in the north towards the end of the sixteenth century.³⁶ Evidence suggests that the population had increased sixteen fold between 1439 and 1566.³⁷ This growth rate continued during the sixteenth and seventeenth centuries, and in the century after 1664 the population of Halifax doubled primarily as a result of the thriving worsted trade.³⁸ After 1650, fully skilled labour was in particularly short supply, which meant that woolcombers and drawloom weavers in Halifax had the opportunity to earn high wages, and some small clothiers abandoned their previous independence to work in specialist areas in the rapidly expanding worsted industry.³⁹ As an urban centre, Halifax parish had been associated with radical Protestantism from the early 1550s, and following the Restoration Halifax had a Quaker congregation under the care of the ejected minister, Oliver Heywood.⁴⁰

In this rapidly expanding industrial town, the church continued to play a prominent part in the lives of its parishioners. There are five surviving pew disputes in the records of the ecclesiastical courts at York for the parish church of Halifax between c.1663 and 1700, which include a plan produced in 1700 (Figure 7.1).⁴¹ The concern to fix the seating arrangement, and to record the pew plan on parchment became paramount by 1700. Thus in *Drake c. Sterne* (1700) Abigail Drake had challenged

³⁶ Ellis, 'A Study in the Manorial History of Halifax Parish', p. 252.

³⁷ Ellis, 'A Study in the Manorial History of Halifax Parish', p. 431, n. 2.

³⁸ Keith Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (London, 2000), p. 241.

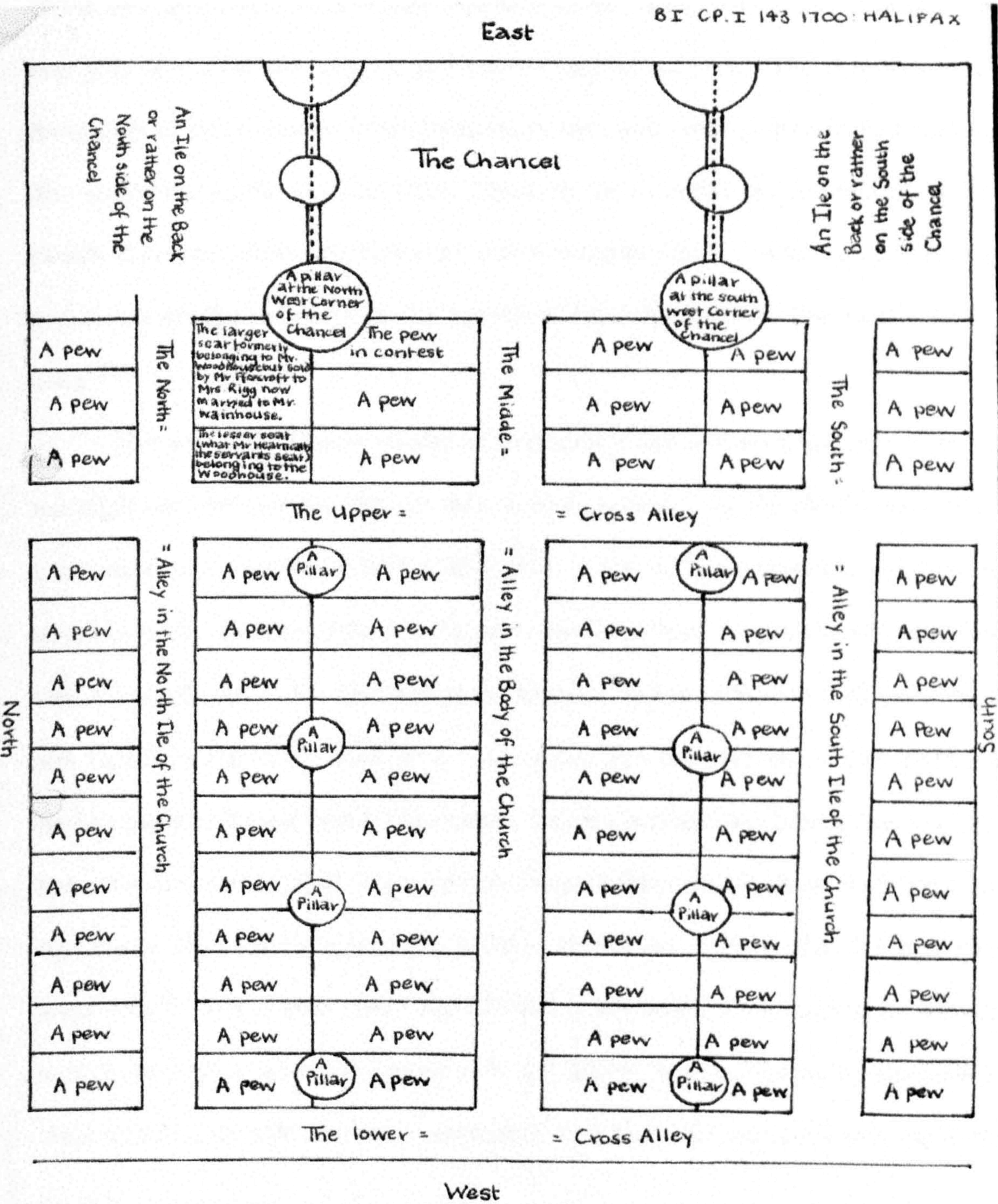
³⁹ Wrightson, *Earthly Necessities*, pp. 316-7.

⁴⁰ Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England, 1400-1580* (London, 1992), p. 515; Christopher Haigh, *English Reformations: Religion, Politics, and Society under the Tudors* (Oxford, 1993), p.197, 219; E. P. Thompson, *Customs in Common* (London, 1993), p. 53.

⁴¹ BI CP.H 2445 1663: Halifax; BI CP.H 4099 1685: Halifax; BI CP.H 5800 17c.: Halifax; BI CP.H 5820 17c.: Halifax; BI CP.I 143 1700: Halifax.

Simon Sterne's claim that the disputed pew had been conveyed to him by a deed of indenture of 1688 on the basis of a plan of the seats. Drake argued that the description

Figure 7.1: Plan of Halifax Church (Yorkshire, West Riding), 1700⁴²



⁴² BI CP.I 143 1700: Halifax.

of the seat given on the indenture did not match the position of the seat in controversy, a point she suggested would ‘better apeare by a Map or Description’ of the church. A map showing the layout of the pews and indicating the seat in controversy and the ownership of the two adjoining pews was then exhibited in the cause.⁴³ By 1700, therefore, the pew plan at Halifax had become an accepted standard of proof. The pew plan itself drew upon the memories of the parishioners and parish elites, which harked back to the ‘regulation’ of the seats in 1634. Deponents also recalled the re-ordering of the church in the aftermath of the civil wars and Interregnum because of the ‘great Disorder and Confusion (by reason of the Usurpation of Oliver) about their [the parishioners’] seats’.⁴⁴

The pew disputes from Halifax are particularly rich in material concerning those we might consider marginal, for example, women, widows, and the elderly and infirm. Depositions reveal something both of their place in and of their perspective on the local social hierarchy. In three of the five disputes considered here, women claimed seats that they had used prior to the deaths of their husbands. In her widowhood, Abigail Drake was forced to defend her position in ‘one of the best seates in the church’ from the encroachment of Simon Sterne. Like Sterne, Drake’s husband had been a Justice of the Peace for the West Riding. The evidence suggests that in 1700 Sterne had taken the opportunity of Drake’s vulnerable position to pursue a claim that he had long maintained.⁴⁵ Mary Mawde and Anna Mitchell both claimed a seat next to the chancel in the right of their deceased husbands. In this dispute, both parties were vulnerable to challenges to their right, and each responded to protect their respective interests in the

⁴³ BI CP.I 143 1700: Halifax.

⁴⁴ BI CP.I 143 1700: Halifax.

⁴⁵ BI CP.I 143 1700: Halifax.

seat.⁴⁶ Jane Nichols chose to fight for her right to a seat in the church in the seventeenth century alongside a prominent local gentleman, John Caygill. The precariousness of Nichols' position is evident in that the only other seat in the church she used was granted to her by leave of its owner who had allegedly threatened 'to displace her'. Rather than fight for her position alone, Nichols hedged her bets with Caygill.⁴⁷ It is evident, therefore, that women in Halifax who were widowed were often vulnerable to challenges to their seats and to their place in the social hierarchy.

The intensity of status conflicts in sixteenth and seventeenth century Halifax, even amongst women, is manifest in the verbal and physical violence encountered in a dispute from 1663. Individuals in particularly violent cases such as this attempted to show real or intended harm by calling attention to physical attacks on their person in the context of the church, announcing to those assembled what weapon was used against them. Thus, in the pew dispute between Anne Mitchell and Mary Mawde in 1663 it was alleged that Mitchell gave Mawde 'three or fower stabs upon her thigh with something . . . Mitchell had in her hand'. Mawde apparently cried out 'she stabbes me she stabbes me, looke if she not have a knife', whilst Mitchell retorted 'thou lvest slutt, I have not a knife'. Mawde further attempted to prove to the court the extent of the physical and emotional pain she had endured as a result of Mitchell's attack. She therefore alleged that the pain from the injuries she sustained in the dispute 'continued with her' for the following two weeks and that the pain 'forced her many tymes to weepe'. To bolster her case, witnesses on Mawde's behalf testified to having viewed Mawde's injuries themselves. Grace Robinson testified that she had visited Mary Mawde at home where

⁴⁶ BI CP.H 2445 1663: Halifax.

⁴⁷ BI CP.H 5800 17c.: Halifax.

she saw her thigh ‘swelled with pricks’. Anna Whitley described Mawde’s injuries in detail and indicated that they appeared to have been inflicted by a ‘bodkin or sissors pointes’.⁴⁸ In absence of forensics and photography, visual representations of injuries were recreated by verbal idiom, using details that indicated actual suffering and real pain.

Disputes such as these often had their roots in previous enmity and confrontations between the parties involved. In *Mawde c. Mitchell* (1663), it was alleged that there had previously been conflict between Mitchell’s husband, Robert Dean, and Mawde’s husband, Toby Lawe. Lawe had allegedly given Dean leave to sit in his pew with five gentlewomen. However, when the seat had become so ‘thronged’ with people, Lawe had been ‘offended’ and accordingly requested that Dean should refrain from sitting in his seat. When Dean later ignored Lawe’s request, a dispute erupted and was only settled when the parties agreed that Lawe should grant Dean leave to sit in the pew, but only in his absence so as to avoid overcrowding. Despite this arrangement, hostilities between the two parties flared up thirteen years later.⁴⁹

As we have seen, it is sometimes possible to hear the voices of marginal groups, and in particular, of women and the poor in these violent disputes over place. Indeed, they frequently passed judgment on the status and character of their social superiors.⁵⁰ Anna Whitley, a spinster from Halifax, described herself as a poor servant who was worth little save the clothes on her back. Whitley had been present with her mistress, Mary Mawde, in 1663 when the defendant, Anna Mitchell, had challenged her right to a pew in the church. Whitley testified that Mitchell had verbally abused Mawde by

⁴⁸ BI CP.H 2445 1663: Halifax.

⁴⁹ BI CP.H 2445 1663: Halifax.

⁵⁰ See Chapter 4 above.

calling her 'prowd presumptuous Queane', and had threatened to pull Mawde from the pew. Whitley also testified that Mitchell had attacked Mawde with 'sissors'. Whitley was only a servant, but her place with Mawde's children in the pew had given her a position from which she was able to view the dispute itself. She was also able to contrast Mitchell's violent behaviour and lack of control with her mistress whom she alleged defended her right without recourse to violence or verbal abuse. In spite of her social position, Anna Whitley was able to pass judgment on the conduct of her superiors.⁵¹

It is clear that in this community, the symbols of precedence were vigilantly protected and even contested. Simon Sterne chose to protect his right to his seat from the intrusion by the 'poor tenants' of Horley Green in 1700 by placing a lock upon the pew door to 'keep them out'. Sterne's enclosure of the space in the church on which his seat stood provoked a violent reaction and the lock was broken off at Drake's order. Sterne, determined 'not to suffer any of the Tennantes of Horley Greene . . . to come into the said seat' then 'clapped on another lock', physically marking out his claim to the pew. The enclosure of space in the church by the building of box pews, and the exclusion of certain individuals through the use of locks and doors were indicative of the processes of inclusion and exclusion on which early modern communities were constructed. Like the enclosure of the commons, this hedging out of parishioners from certain spaces in Halifax church provoked a violent response.

⁵¹ BI CP.H 2445 1663: Halifax.

III

Pews in Macclesfield Chapel, 1588-1698

In the sixteenth and seventeenth centuries, the market town of Macclesfield was jurisdictionally submerged in the large and cumbersome parish of Prestbury, which alone had thirty-two townships. Macclesfield overlooked the Bollin River and sat on the edge of the flat, fertile pasturelands of East Cheshire. In 1261 the Crown first chartered the ancient borough and from then on its municipal independence and corporate privileges were closely guarded. These privileges increased as new charters were granted during the course of the sixteenth and seventeenth centuries. The Mayor and burgesses, made up of twenty-four of the 'better and more honest sort' of Macclesfield, were entrusted with the collection of market tolls and fines, the regulation of trade (particularly of silk buttons), and the appointment of a number of local officers. From 1595 this included a sergeant and a high steward of the town, and from 1684 a clerk of the peace and a coroner. The Corporation was also fortunate in that Macclesfield was a considerable distance from the bishop's palace and removed from the orbits of the great county families and as such, escaped much direct interference in its affairs.⁵²

Soon after Macclesfield was chartered, Queen Eleanor endowed a chapel there, which was to be subject to the mother church at Prestbury, and to the Abbot and monastery of St. Werburgh's. The chapelry included the nine townships of Macclesfield, Sutton Downes, Wincle, Wildboarclough, Macclesfield Forest, Kettleshulme, Hurdsfield, Rainow and Pott Shrigley.⁵³ In 1422 the Legh chapel was

⁵² J. S. Morrill, *Cheshire 1630-1660: County Government and Society During the English Revolution* (Oxford, 1974), pp. 6-14; C. Stella Davies (ed.), *A History of Macclesfield* (Manchester, 1961), pp. 9, 47-9, 80.

⁵³ George Ormerod, *The History of the County Palatine and City of Chester* (Manchester, 1880), p. 754.

built on the south side of the church to receive the body of Sir Piers Legh who had fought and was knighted at Agincourt. Archbishop Thomas Savage subsequently added a much larger chapel between 1501 and 1507 and endowed it as a chantry chapel.⁵⁴ At the heart of the town itself, situated near the old market place, the chapel played a central part in the life of Macclesfield and was witness to a century and a half of upheaval and change. It is estimated that the population of Macclesfield grew from around 2300 in 1674 to around 4500 by 1720, largely as a result of the growth of the silk industry.⁵⁵ In 1685, Samuel Leak claimed that before the galleries and the loft in the belfry were built, Macclesfield chapelry had become 'so populous' and the church 'so small, contract and disproportionable' that not every family could have their own seats and most had to share, 'necessity soe requiring'.⁵⁶ The shortage of seats and the pressures upon space in the church were evident as early as 1639 when the interrogatories for the plaintiff Annie Booth asked whether many inhabitants and whole families wanted a particular seat and if 'servantes and yonge people sit, stand and kneele in the Alleyes or elsewhere upon benches or other places (and not in . . . particular seates in the . . . Chapell)'.⁵⁷ Strict rules governing the settlement of 'foreigners' in the town were implemented, and in 1604 an order was made by the corporation confining the trade of the town to the burgesses and prohibiting any 'foreigner' from settling unless they were approved and accepted by the mayor, aldermen and a certain number of burgesses. Any householder who entertained a

⁵⁴ Davies, *A History of Macclesfield*, pp. 299-302.

⁵⁵ The first figure assumes the multiplier 4.3 as suggested by Tom Arkell, 'Multiplying factors for estimating population totals from the hearth tax', *Local Population Studies* XXVIII (Spring, 1982). The fiscal records on which these are based are Public Record Office E 179/86/155 and E 179/326/5. The second estimate is cited in Davies, *A History of Macclesfield*, pp. 144-5.

⁵⁶ CRO EDC.5 (1685), 8: Macclesfield.

⁵⁷ CRO EDC.5 (1639), 8: Macclesfield.

stranger without permission was liable to imprisonment. In 1664, two persons in every street were appointed to ‘enquire and take account of any strangers’, and silk merchants in particular.⁵⁸ As the population of Macclesfield rose, particularly in the second half of the seventeenth century, space in church was at a premium, and these forces exposed the tensions and weaknesses inherent in the representation of the social hierarchy in the seating plan that was drawn up in the 1630s (Figure 7.2). Unlike oral testimony, which allowed for subtle and gradual changes in customary seating arrangements, the fixity of the plan creaked under the pressure of demographic and social change.

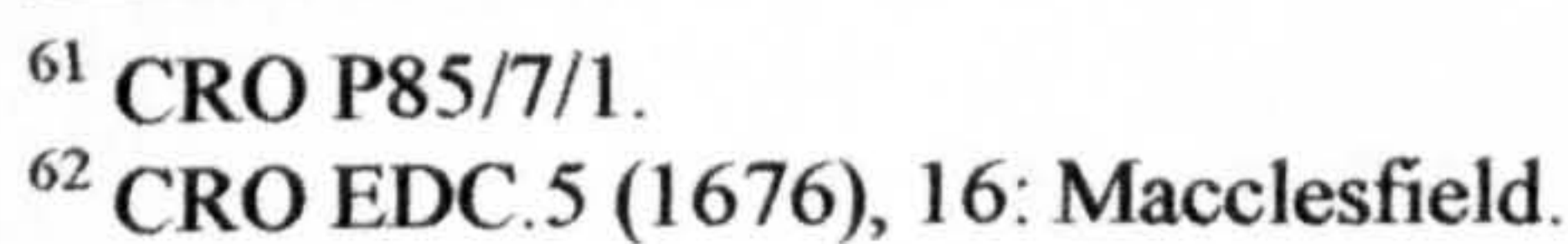
The source material for Macclesfield includes six pew disputes heard before the ecclesiastical court at Chester (Cheshire) between 1588 and 1698, and a pew plan produced in 1676 that had been copied from a plan made at the re-seating of the chapel in 1634.⁵⁹ These records are supplemented by memoranda relating to pews found in the parish registers between 1572 and 1696.⁶⁰ The rearrangement of space in the chapel in the 1630s soon provoked contention, and continued to do so throughout the seventeenth century. A partially copied version of the plan was invoked time and again to settle disputes between parishioners and to attempt to fix the seating order. In 1742, during the reconstruction of the church, the minister, John Robinson, perpetuated this desire to freeze the order of the seats by writing an account of the pews as they had been

⁵⁸ Davies, *A History of Macclesfield*, pp. 69-70, 73.

⁵⁹ CRO EDC.5 (1588), 30: Macclesfield; CRO EDC.5 (1638), 106: Macclesfield; CRO EDC.5 (1639), 8: Macclesfield; CRO EDC.5 (1663), 25: Macclesfield; CRO EDC.5 (1663), 74: Macclesfield; CRO EDC.5 (1674), 1: Macclesfield; CRO EDC.5 (1675), 1: Macclesfield; CRO EDC.5 (1676), 18: Macclesfield; CRO EDC.5 (1685), 8: Macclesfield; CRO EDC.5 (1696), 15: Macclesfield; CRO EDC.5 (1697), 7: Macclesfield; CRO EDC.5 (1698), 7: Macclesfield; CRO EDC.5 (1676), 16: Macclesfield (Plan and memoranda relating to the re-seating of 1634).

⁶⁰ CRO P85/1/1-4: Early Parish Registers of St. Michael, Macclesfield 1572-1696.

Figure 7.2: Plan of St. Michael's Church, Macclesfield (Cheshire), 1676⁶²



Custom and Memory

In 1646 the parish registers recorded that the churchwardens and the minister consented to a pew being set up 'according to the custome of the said church in such cases'. Likewise in 1658 the churchwardens granted a pew 'according to the custome of this Precinct'.⁶³ The custom whereby the minister and churchwardens' consent was sought and the parishioners' approval attained through a proclamation to the 'publique congregation', was well established in the minds and imaginations of parishioners.⁶⁴ A combination of ecclesiastical law and local practice exercised continuously and beyond living memory made for an established custom in seventeenth century Macclesfield. However, when the seats in the church were made uniform in the 1630s, it was not only the minister and chapel wardens who placed parishioners, but also the mayor and the 'heads' of the town, with the consent of the 'rest' of the chapelry.⁶⁵ In this local context, the custom and the law relating to the allocation of church seats was not static but mutable in its meaning and application, and subject to subtle changes that often went unnoticed and unchallenged. Pew disputes in Macclesfield suggest that even in the setting of the church building the power of dominant social groups could be accepted, contested, negotiated, undermined, ignored or contradicted. They also indicate that local systems of power, which assumed a reciprocal exchange of patronage and deference, could be unbalanced, if only for an instant, and individuals might develop a critique of the established order.

In this community where the symbols of precedence were fiercely guarded individuals other than the minister and chapel wardens held a different sort of authority

⁶³ CRO P85/1/1.

⁶⁴ CRO P85/1/2.

⁶⁵ CRO EDC.5 (1674), 1: Macclesfield.

over the allocation of seats in church. It was not only the mayor and other 'heads' of the town that had an important role in the ordering of the church, but also benefactors and patrons. The building of private chapels was a particularly strong impulse in the creation and control of space, resulting as it did in the 'presencing' the authority of secular elites. The Savage family had a very large chapel on the south side of the church, filled with tombs, effigies, commemorative plaques and heraldry. They also had tombs at the east end of the chapel, next to the communion table. Lord Savage also held a seat at the top end of the chancel, just behind two pews owned by the Earls of Derby. In 1634 the Earl of Derby had been one of the commissioners granted by the bishop to carry out the re-ordering of the church seats. The Legh Chapel was much smaller and situated just below the Savage Chapel. The Legh family also held seats in the chancel close^{to} the Communion table.⁶⁶ These repeated motifs expressed the prestige of a family's position, and their claim to status in the local community. These symbols then gained a place in local memory, standing out as 'markers' for the rights and privileges of certain families and houses. In 1663, Downes Leigh and Thomas Parsons both claimed a seat under which they alleged various members of their families were buried.⁶⁷ Similarly, Francis Pott and Margaret Corker shared a common ancestry and thus claimed a seat by virtue of their family burial place. Deponents recalled memories of family burials, which identified the seat with one party or another. Francis Pott's father was well aware of the value of these signifiers. Accordingly, when a chapel

⁶⁶ CRO EDC.5 (1676), 16: Macclesfield; CRO EDC.5 (1674), 1: Macclesfield.

⁶⁷ CRO EDC.5 (1663), 25 and 74: Macclesfield.

warden had moved a gravestone from under his pew in the 1670s he complained bitterly.⁶⁸

Custom was also often understood in terms of the ‘common voice’ of a place, establishing a powerful position within communal discourse as occupying the normative position defined by ‘common fame’.⁶⁹ The Macclesfield evidence reflects this well. In 1588 Thomas Olefell suggested that a disputed pew was reputed amongst ‘those that are Annciente’ to belong to Lawrence Swetenham. Alice Day alleged that the pew was indeed ‘comonlie reputed and taken to bee’ Swetenham’s. Likewise, in 1663 a pew in the chapel was called ‘Rawsons forme’ and was ‘commonly reputed’ to have belonged to the heir of Richard Rawson.⁷⁰ In 1674 Elizabeth Burgess claimed a seat that was allegedly called ‘Andrewes pew’, referring to the name of the previous owner of her property. However, as Phillip Andrews owned other property in Macclesfield, another pew was called by the same name, whilst another of his seats had been renamed ‘Parsons pew’. If the situation was not already sufficiently complex, the witnesses for the defendant in the case claimed that the pew was called and ‘generally said to belong’ to the Earls of Derby for a house called Swanscough. Indeed, the pew had allegedly been called ‘My Lordships pew’ before the ‘uniformity’, and after that time the two pews were ‘commonly called My lord of Darbyes pewes’.⁷¹ On this occasion, the ‘common voice’ resembled only the clamour of discordant voices. Parishioners clearly recognised the importance of memory in asserting that a practice was customary. As we have seen this knowledge could be used to argue that seats had been used customarily,

⁶⁸ CRO EDC.5 (1696), 15: Macclesfield; CRO EDC.5 (1697), 7: Macclesfield; CRO EDC.5 (1698), 7: Macclesfield.

⁶⁹ Wood, *The Politics of Social Conflict*, p. 133.

⁷⁰ CRO EDC.5 (1588), 30: Macclesfield; CRO EDC.5 (1663), 74: Macclesfield.

⁷¹ CRO EDC.5 (1674), 1: Macclesfield; CRO EDC.5 (1675), 1: Macclesfield.

time out of mind, whilst in fact discordant voices suggested that ‘custom’ itself could be quite recent, and even newly created.

Particular problems arose when such ‘markers’ were displaced. When the church was made uniform in the 1630s the interrogatories in *Low c. Booth* reveal the anxieties over the moving of traditional symbols of ownership on certain seats. Deponents were asked whether others ‘which had anciently seats and burial places by prescription . . . do not hold uniformed seats standing upon the same ground’. Francis Low, for instance, was concerned that Anna Booth and her husband were taking advantage of the confusion ‘to molest and disturb him’ and thereby ‘get an interest’ in his seat. Despite the fact that Anthony Booth was an alderman and also a wealthy gentleman, he ‘yet wanteth a certain and speciall seate for himselfe and his wife’.⁷² The importance of markers to the memory of parishioners is particularly evident in *Burgess c. Watson* (1674). Richard Rowe, a deponent, remembered that before the new pews were built in the 1630s, and a particular old form was pulled down, a bird was carved on one of the pew-ends. Rowe believed that the bird had been a swan belonging to Buckingham Hall, which was part of the Burgess’ property. George Day, on the other hand, remembered a ‘thick Raile in the Wainscott’ on the old pew and thought that it seemed ‘ancient’. In later depositions George remembered that something had been carved on the top of the pew ‘as if it had been for distinction as belonging to a better person or family than the rest’.⁷³ Similarly, in a dispute of 1588 Mr. Blackwell attempted to claim a seat by having his ‘arms set upon the form’, thereby endeavouring to recreate the social meaning of that particular space by altering the visual symbols

⁷² CRO EDC.5 (1639), 8: Macclesfield.

⁷³ CRO EDC.5 (1674), 1: Macclesfield; CRO EDC.5 (1675), 1: Macclesfield.

associated with it.⁷⁴ When symbols or ornaments were moved or replaced there remained little to distinguish one pew from another in the 'remembrance' of the parishioners, a fact that serves to highlight why changes in the church fabric, particularly seats, could and did provoke contention on the scale created by the campaigns for the uniformity of church seats in the 1630s. Moving emblems of authority left even the powerful vulnerable to incursions into their seats and their place in the visual representation of the local social order.

Thus in 1638, a dispute flared up over a seat on the south side of the church following a Commission sent by the Bishop to make all the pews uniform. Difficulties arose because the seats 'could not bee all made uniforme and decent . . . without . . . greate alteracon of all most or many of the same And therefore in some places some seates were taken up and made into two seates, and sometymes in the roome, and by the alteracon of two, three or four seates . . . one new seate was gotten and gained'.⁷⁵ By insisting on the uniform height and length of pews, the local and central ecclesiastical authorities had in effect dissolved the established 'boundaries' and 'markers' by which the parishioners had traditionally defined the internal landscape of their church.⁷⁶ The seats had not been allocated at the time of the dispute and Anthony Booth, the husband of one of the disputants, found that his 'right of clayme' had been 'taken away by the late uniformity and generall alteracon'. Witnesses on both sides referred to how the parties had been placed before the church was rearranged, but the changes had destroyed the organisational focus for local memory.⁷⁷ The plan that was eventually

⁷⁴ CRO EDC.5 (1588), 30: Macclesfield.

⁷⁵ CRO EDC.5 (1639), 8: Macclesfield.

⁷⁶ For a comparable experience in exterior landscape of the Peak District see Wood, *The Politics of Social Conflict*, p. 137.

⁷⁷ CRO EDC.5 (1639), 8: Macclesfield.

drawn up by the parish elites and ratified by the Bishop was a process of negotiation and compromise in which these groups were able to claim an active role in the redefinition of local custom in rearticulating social relations.

From this time on, orality and literacy were intertwined in the knowledge and experience of custom as recorded in the ecclesiastical court papers from Macclesfield. The surviving documentation in *Burgess c. Watson* (1674-76) both provides details of the process of change in the 1630s, and refers to a partial copy of the plan that was then drawn up (Figure 7.2). Each of the parties claimed the right to a seat in the upper end of the east side of the north aisle by virtue of their properties in the chapelry, and of long usage. To help decide the case, the court used the plan of the church and a 'plaine writeing' in the parish registers concerning the disputed seats. The plan or 'Originall Scheme or Modell' had regularly been used whenever 'controversyes have been about seates amongst neighbours'. In a pew dispute between Edward Stapleton, a local gentleman, and Mr. Rowe, Bishop Wilkins mediated and decided according to the 'scheme'.⁷⁸ In 1685 the plan was once again produced in a case between two wealthy tradesmen. Charles Howley, the plaintiff, claimed the right to the lower half of the disputed pew quoting the 'ancient scheme of the ancient seates within the nave . . . wherein are sett down the surnames of such persons showing dwelling houses in the town and chapelry of Macclesfield'. The seat in question was 'represented in ye said scheme, the surnames Dean and Shrigley are inserted by which it is signified and certain that ye same seate equally to bee divided or used'. There was a sense in which the indeterminate and mutable order of seats was given a sense of fixity and permanence by

⁷⁸ CRO EDC.5 (1674), 1: Macclesfield; CRO EDC.5 (1675), 1: Macclesfield; CRO EDC.5 (1676), 18: Macclesfield.

the drawing of the plan. The massive increase in the production of documents and manuscripts alongside the printing of books and pamphlets in our period undoubtedly helped to promote a mentality that valued this fixity over the casualness of speech. Indeed, it was hoped that the plan would bring a swift conclusion to the quarrels between neighbours over their place in church. The church-seating plan had assumed an almost iconic significance, and according to one deponent it was 'of great credit, use and direction as to the disposing of ye said ancient seates'.⁷⁹

However, the ascendancy of the written word was never total or unqualified. Documents could, after all, be falsified, or drawn up using false information. In a case from the late 1690s, Margaret Corker produced a certificate for a seat from the parish registers to prove that it belonged to her property. The reference was dated 1678, and was signed by the minister and chapel wardens. Witnesses for the plaintiff, Francis Pott, claimed that the chapel wardens had erroneously registered the pew to Margaret based upon incomplete and misleading information.⁸⁰ Pew conflict was vulnerable to the truism that whilst documents may be 'falsified and corrupted', an honest person 'if . . . found will hardly be shaken'.⁸¹

Indeed, the enduring importance of oral testimony was apparent at a certain stage in the legal proceedings, when commissions took depositions from witnesses on both sides of the dispute who then gave verbal accounts of their knowledge of the seating arrangement and customary usage of a place in response to written interrogatories. The most effective means to establish that a practice had been exercised within living memory and even beyond this was to interrogate the eldest inhabitants of

⁷⁹ CRO EDC.5 (1685), 8: Macclesfield.

⁸⁰ CRO EDC.5 (1697), 7: Macclesfield; CRO EDC.5 (1698), 7: Macclesfield.

⁸¹ Quoted in Adam Fox, 'Custom, Memory and the Authority of Writing', in Paul Griffiths, Adam Fox and Steve Hindle (eds), *The Experience of Authority in Early Modern England* (London, 1996), p. 92.

the community. All but two of the thirty-seven witnesses called concerning the right to certain seats in Macclesfield chapel were over forty years of age, twenty-three were over sixty, and all of them, bar one, were men.⁸² Andy Wood has suggested that in the struggles over free mining in the Peak District in the sixteenth and seventeenth centuries, men, in particular aged men, were the official custodians of custom and memory. This defined their community as the possession of its settled, male inhabitants to the exclusion of women, the poor and the transient.⁸³ The depositions from Macclesfield suggest that the space in church and the customary practice relating to the use and organisation of the seats within it were, similarly, the preserve of the settled, male members of the parish. The only female deponent, Alice Day, spoke in terms of the words and actions of aged *men* as a source of information concerning local custom. Thus she claimed that when she was a young girl she had heard ‘Anciente men’ say that the pew that Lawrence Swetenham and John Morgill were fighting over belonged to Swetenham’s house ‘paste memorie of man’.⁸⁴ This does not mean to say that women were entirely excluded from this public assertion of custom. Two women were, after all, *plaintiffs* in the Macclesfield cases, whilst another was the leading defendant, and a further three were defendants alongside men. If men appeared to be the guardians of local custom, women could, and occasionally did, contest the authority of that wisdom as represented in the customary arrangements of space in the chapel.

In a number of cases, the memory of the deponents could reach back generations. William Rowe was sixty-eight when he was called as a witness in 1676. He was able to recall the details of a carving on a pew-end before the re-ordering of the

⁸² Based upon CRO EDC.5: Macclesfield.

⁸³ Wood, *The Politics of Social Conflict*, pp. 127-50, 179-88.

⁸⁴ CRO EDC.5 (1588), 30: Macclesfield.

church in the 1630s.⁸⁵ In 1674 John Smallwood had been sexton of the chapel for fifty-eight years, and had witnessed the placing of the parishioners by commission in the 1630s. Edward Morecroft claimed that he had heard ‘some ancient people say’ that a bench in the church had become part of a pew when the church was uniformed.⁸⁶ In 1675 Thomas Holland was sixty-five years old. He was able to recall the customary practice of his grandfather and father.⁸⁷ Lancelot Bostock claimed in 1697 that in all his time (he was sixty-five years old) Francis Pott had owned a seat in Macclesfield church and that ‘credible persons of the neighbourhood’ had told him that Pott’s great-great-great grandfather had built the seat. He also remembered from his childhood the burial of Pott’s great-great grandfather under the seat, and heard it ‘reported by ancient persons’ that the seat had once been given to Pott’s aunt by leave of his grandfather.⁸⁸ The memory of man reached even beyond direct experience and into the realms of inherited tradition, extending back for several generations, in some cases over a century or more.

The Impact of the Civil War

Many of the ancient inhabitants who had been called as witnesses had lived through and could recall the tumultuous events of the 1640s and 1650s. The case of *Parsons c. Leigh* in 1663, just following the Restoration of Charles II, gives a fascinating insight into parish life during the Civil Wars. The case also reveals the tensions and anxieties that arose in the wake of the Restoration. In the absence of

⁸⁵ CRO EDC.5 (1676), 18: Macclesfield.

⁸⁶ CRO EDC.5 (1674), 1: Macclesfield.

⁸⁷ CRO EDC.5 (1675), 1: Macclesfield.

⁸⁸ CRO EDC.5 (1697), 7: Macclesfield.

ecclesiastical court material for the period 1640 to 1660, this case does much to help us understand the impact these changes had upon the local community in Macclesfield.⁸⁹

In the 1630s, the curate in charge at Macclesfield, Ralph Stringer, refused to wear a surplice, and the stone altar in the Savage Chapel was moved and replaced by a wooden Communion Table. Monthly 'lectures' were also held and a Geneva gown worn during services. In 1643, following the siege of Nantwich, Sir William Brereton and the Parliamentary army held Macclesfield. In the aftermath, the minister of Macclesfield chapel, Phillip Holland, fled with the defeated Royalists and Ralph Stringer was appointed in his place. In the years following the Parliamentary victory, Presbyterian services were held at St. Michael's, presided over by James Bradshaw who succeeded Stringer in 1657. Not surprisingly, a significant number of individuals in the chapelry were unwilling to conform to the re-establishment of the Church of England at the Restoration. Even though the town's Corporation threw a lavish party in honour of the King's coronation, men like Bradshaw had little to celebrate. In 1662, when the third Act of Uniformity was introduced, Bradshaw lost his living along with ten others in the Deanery of Macclesfield. However, following the Act of Toleration in 1689, the Nonconformist movement that had flourished during the Civil War period was revived, and a Nonconformist chapel was built in Back Lane.⁹⁰

In *Parsons c. Leigh* (1663), both parties described their experiences during the political and religious upheavals of the 1640s and the impact they had upon their ownership of pews in the chapel. During the 1640s, Thomas Parsons, a lessee of Earl Rivers, found his property sequestered and himself imprisoned 'in his majesty's service

⁸⁹ The following account is based upon CRO EDC.5 (1663), 25 and 74: Macclesfield.

⁹⁰ Davies, *A History of Macclesfield*, pp. 74-6, 79, 321-24.

or unable to reside at home'. He also forfeited his seat in the church. During this time Parsons claimed that he 'durst not oppose the fury of the then prevailinge bloody army and enemye'. As a man of 'quality' and a 'faithful subject' who paid all his contributions to the upkeep of the chapel, Parsons had begun to re-establish his position of leadership in the community following the Restoration. In 1662, Parsons was Mayor, and at the time of the dispute in 1663, he was alderman. Parsons' property had been returned to him and he claimed a seat as appurtenant to that property.

Downes Leigh's fortunes during the 'late troubles' were rather different. He was chapel warden who continued to lease a property in Macclesfield that had belonged to his father-in-law, Richard Rawson. Deponents for Leigh claimed that during the civil wars the disputed seat had been called 'Rawsons forme', and 'commonly reputed' to belong to Leigh's predecessors, time out of mind. Rawson had also allegedly buried two of his wives and a daughter under the seat during the 1640s. Rawson testified that he had allowed 'some friends' and neighbours to sit with him in the pew but that 'in the troublesome times' some of the defendants 'sometimes' sat there and began to make a claim to the seat. Even in his absence, Parsons was making a claim to the seat through his sister-in-law Susannah Bolton. Francis Stevenson deposed that before his death, Rawson had gone to live outside the town, 'the times being troublesome'. He left only a kinswoman to look after his grandchildren and thereby rendered his pew vulnerable to incursions. Conversely, Parsons alleged that *his* father-in-law had 'given liberty' to Rawson, being his kinsman, 'for a certain season' but that the family had taken advantage of Parsons' absence. In this context it must have been difficult to unravel who had been taking advantage of whose changing fortunes in the fluctuating political climate. Bitter recriminations followed. Parsons claimed that although Leigh should

have preserved the rights of the chapel as warden, his design may have been to ‘robb or injure the Church (as the fashion then was)’. Parsons argued that church fabric and furniture had been ruined, demolished and damaged through negligence, command or approbation. In this world turned upside-down, Lawrence Pott suggested that a man ‘could not have a right in such cases’.

It is clear that the physical destruction of the church during these years and the fracturing of the spiritual community by religious and political differences had a profound and lasting effect upon the inhabitants of Macclesfield. Following the Restoration more and more parishioners chose to register their pews in the parish book, a trend that mirrored the sharp increase in faculties issued for seats in a number of jurisdictions from the 1660s onwards.⁹¹ It was as though the uncertainties of these ‘troublesome times’ had awoken a desire for fixity, for stability and for order, evident in the desire to consolidate and give permanence to the seating arrangement of the church, and in effect, the local social hierarchy. Members of the community were re-establishing their place in the town’s social and spiritual life, and it was a position they were reluctant to be deprived of again. In a sense, the tendency to use the plan drawn up in the 1630s in later disputes, and the attempt to turn the clock back to before the war, reflects this desire for stability and indicates the way in which parishioners felt that its permanence conferred order in their personal confrontations. Furthermore, parishioners referred to the pew plan as an aid to memory, preserving local custom that might otherwise have been lost, forgotten or destroyed during the troubles. Thus when John Robinson reproduced the history of seat ownership in the church, and presented drawings of how the reconstructed church might be ordered, in the eighteenth century

⁹¹ See Chapter 3 above.

he was expressing a desire for continuity and solidity.⁹² The custom and memory of previous generations of inhabitants of the parish of Macclesfield had been grafted onto the customs of posterity. The seating order of the 1630s had, thereafter, become the marker from which restoration memory and custom could reconstruct itself.

IV

Conclusion

Chris Marsh has recently argued that those unable to bridle their individualism with regards to their position in the church were ‘letting the side down’, but that most parishioners were more peaceable and allowed their seats to articulate on their behalf an acceptance of community and hierarchy at one and the same time.⁹³ Marsh further contended that ‘seats in church were conceived as an instrument of peace, and when they “bredde rather disturbance than unitie”, then ameliorative action had to be taken’.⁹⁴ The pewing histories of the three parishes considered here are a reflection of the profound impact of pew disputes and alterations to the church-seating plan upon local identity and social memory. They are also suggestive of the intense nature of social conflict and of the enduring impact it had upon local communities. Although deponents expressed their regret and scandal at the events that surrounded pew disputes in their parish, the presence of considerable numbers of witnesses involved in the disputes considered here, choosing sides, and in a sense, participating in and perpetuating

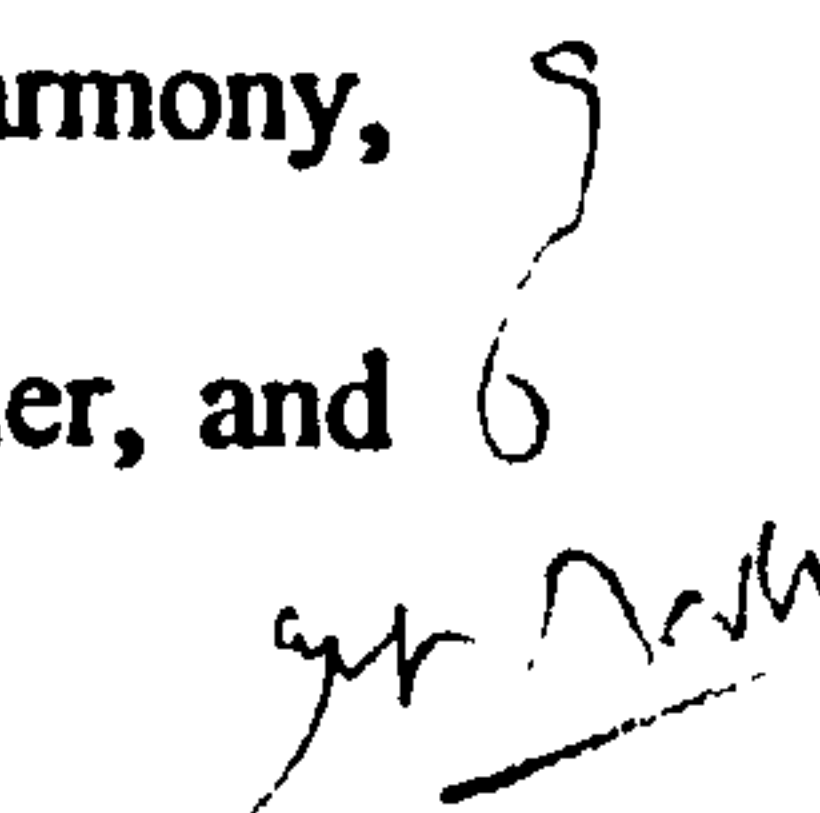
⁹² CRO P85/1/1.

⁹³ Chris Marsh, “Common Prayer” in England 1560-1640: The View from the Pew’, *Past and Present*, 171(May, 2001), p. 92.

⁹⁴ Marsh, “Common Prayer”, pp. 81-2.

conflict suggests that the impact of individual disputes were often felt across the entire local community.

Moreover, these case studies are an indicator of the status consciousness of early modern society and the potency of symbols of hierarchy, especially church seating. Marsh concluded that 'seats, in alliance with the liturgy, promoted the "one voice" of the Christian community in a period of many voices. The church was absolutely vital in this regard, for no other institution attempted anything comparable'.⁹⁵ However, as the cases from Macclesfield indicate, whilst custom, expressed as the 'common voice' of the parish, was a powerful force in defining the position of parishioners in relation to each other, it was also often a cacophony of discordant arguments. Indeed, as the communities considered here were subjected to the processes of change and redefinition, so they also became sites of social conflict. Early modern society may have been imbued with notions of neighbourliness and charity, but at its heart it remained a hierarchical society organised around inequality. Indeed, although it is easy to dismiss social conflict as ephemeral and although we should always remember the significance of the silent majority of parishioners who never fought over the right to sit in particular seat, these cases illustrate beyond doubt the realities of social conflict in seventeenth century England. To be sure, the deponents rehearsed the importance of social harmony, but they did so in a context where parishioners were brawling with one another, and remembering these confrontations for several generations.



⁹⁵ Marsh, "Common Prayer", p. 93.

Chapter Eight

Conclusion

‘This constant manipulation of material things, this ceaseless war over meanings, is as much true of everyday objects and spaces as of elite ones. Past systems of thought are entwined as much with the layout of the smallest church or house as with the largest palace; . . . as much with the everyday life of the peasant household, common fields and village community as with the politics of the city and court faction.’¹

As historians, we reconstruct, or rather, we recognise the potential to reconstruct, the past whilst recognising that people who lived in different places and times ordered and understood the world around them in very different ways. This thesis has sought to reveal the ways in which early modern English men and women ordered their world in the context of the parish church, and in particular through its seating arrangement. Indeed, as we have seen, the constructed environment of early modern England was more than merely a backdrop to the action that took place within it. The interior of churches and their physical layout were ‘locked in a reflexive relationship with lived experience of the world’.² Parishioners were constantly confronted by a reminder of concepts of order in the seating arrangement of their parish church, itself a manifestation of the contemporary tendency to classify people into ranks and degrees, orders and sorts. However, the derivation of *meaning* from the spatial representation of order was contingent upon individual and collective interpretation and upon practice.

Indeed, individuals and groups everywhere behave in response to their environment and became aware of that environment both practically and discursively.

¹ Matthew Johnson, *An Archaeology of Capitalism* (Oxford, 1996), p. 2.

² Michael Parker Pearson, ‘Preface’, in Michael Parker Pearson and Colin Richards (eds), *Architecture and Order: Approaches to Social Space* (London, 1994), p. xi.

The theory of structuration elaborated by Anthony Giddens has not only reminded us that social structures (as embodied in traditions and social rules) have a dialectical relationship with human actions, but has also ensured that 'spatial structure is now seen not merely as an arena in which social life unfolds, but rather as a medium through which social relations are produced and reproduced'.³ Those individuals who claimed the right to allocate seats in the church, and those who chose to challenge that order were, therefore, instrumental in the process of social change. Furthermore, awareness of the seating order expressed during conflict suggests that pew disputes may have been one of the few ways in which contemporaries actually became aware of social change. It might also, therefore, be seen as one of the ways in which contemporaries *affected* social change.

Material culture, in this case the church pew, is active. Its meanings are constantly being manipulated by and in their turn manipulate social actors in the maintenance of order and in the production of the changing norms which govern everyday life.⁴ Perceived in this way, church seats can be seen as structures that helped actively maintain or alter social relations in the local community rather than, as many historians have argued, passively reflecting them. It was in the parish church that early modern English men and women both *experienced* and *reproduced* notions of community, identity and belonging. More generally, the parish provided the context in which notions of community were defined by the processes of inclusion and exclusion. In the parish, both physical and moral boundaries were constructed. Indeed, 'becoming a

³ Cited in Parker Pearson and Richards (eds), *Architecture and Order*, p. 3.

⁴ Johnson, *An Archaeology of Capitalism*, p. 6.

member of, and belonging to, the parish community were transactions which entailed the relativities of status and space'.⁵

The previous chapters have revealed many aspects of the manner in which people in the sixteenth and seventeenth centuries categorised and experienced space in church. Vere Gordon Childe argued that 'men gradually discover by experiment how things and persons can be arranged spatially, so defining an idea of space. As such it [the idea of space] must find a symbolic vehicle and be expressed'.⁶ Space in church was perceived in terms of *place*. Environments within the church were categorised and named, thereby transforming undifferentiated space into marked and delimited place. Parishioners attached stories and meaning to places in the church, and in particular to pews, and thus made them resonate with history and experience. 'The culturally constructed elements of a landscape' were thereby 'transformed into material and permanent markers and authentications of history, experience and values'.⁷

The ability to reinterpret and change meanings was nonetheless limited by understandings of the pre-existing spatial order. Whilst perceptions of space in churches were generally fluid and subject to physical, linguistic and psychological alterations, some spaces in the church were not open to this kind of redefinition, and their meaning remained static during our period. The belfry provides a particularly good example because it represented a marginal space within the church. Indeed, there were well-defined limits to the alterations in the use and meaning of ecclesiastical space, even by the agency of the powerful.

⁵ Steve Hindle, 'A Sense of Place? Becoming and Belonging in the Rural Parish, 1550-1650', in Alexander Shepard and Phil Withington (eds), *Communities in Early Modern England: Networks, place, rhetoric* (Manchester, 2000), pp. 97.

As we have seen, the interior of the church provided an internal landscape that combined a vast repository of memory. The church contained landmarks that furnished parishioners with their mental reference points. The authority of patrons was symbolised throughout the church in private chapels, burial places and a wide range of images of status and lineage. Parishioners also recognised these artefacts as symbolic markers that represented the ownership of a particular place. The traditions and customs regarding the ordering of the church were, furthermore, understood as the 'common voice' of the parish. Often, the naming of a seat by definition confirmed local memory and was in turn reinforced by the visual markers of ownership.

The meanings given to places within the spatial order are not, however, fixed, but are given authority through recurrent usage and common practice. Whilst custom, as expressed through oral and written traditions, could be critical in perpetuating local traditions concerning the seating arrangement, the removal, alteration, and deterioration of certain markers could weaken its force in the memory of parishioners. Thus the religious and political struggles of the 1620s and 1630s had a profound effect upon the way parishioners, and indeed the ecclesiastical hierarchy itself, viewed and perceived space in the church. The campaign for the uniformity of pews modified the shape and size of church seating and, ultimately, altered the position of parishioners both in relation to one another and to the ritual space in the church. Furthermore, the reordering of the interior landscape of the church destroyed the organisational focus for local memory, and left almost every parishioner vulnerable to incursions into their seats and therefore into their place in the visual representation of the social order.

⁶ Cited in Parker Pearson and Richards (eds), *Architecture and Order*, p. 3.

One of the most striking features of the 1630s is the tendency of written records to become superimposed upon the hybrid customs of individual parishes, undermining for a time the traditional relationship between orality, literacy and memory in the ordering of space and place in the church. The relatively formal mapping of the landscape of the church codified social relations, mentally carving up space in the church. Indeed, as we have seen, these church seating plans were to gain an almost iconic significance in the Restoration period as parishioners sought refuge in the certainties of pre-war written customaries. The conflicts provoked by the re-ordering of church seating echoed the cries of the commons against the enclosure of the common fields in the 1620s and 1630s. Indeed, parishioners described their experience of the alterations in the church using the language of common right. The conflict over church seating arrangements in this period thus resonated with the force of and the defence of local custom. In some churches, seats were depicted as 'common' either for all parishioners or perhaps for a select group of parishioners. Thus in Bunbury (Cheshire) in 1621, seats in St. Katherine's Quire were considered 'common to many gentlemen of that parish and not appropriated or used by any one man onely'.⁸ Similarly, in a pew dispute from Guilden Sutton (Cheshire) in 1639, George Snell deposed that part of the seat where the pulpit stood 'hath ben esteemed and used as a Common seate', until George Holmes made claim to it.⁹ In 1693, William Wyatt described a seat in the church at Shenstone (Staffordshire) as 'comon for any persons'.¹⁰

⁷ Parker Pearson and Richards (eds), *Architecture and Order*, p. 4.

⁸ CRO EDC.5 (1621), 29: Bunbury.

⁹ CRO EDC.5 (1639), 21: Guilden Sutton.

¹⁰ LRO B/C/5 1693: Shenstone.

If the parish church had its common spaces, it also had its waste. The spaces in the church that remained vacant were often described as 'wast or voyd places', as they were at St. Michael's, Chester (Cheshire) in 1639. In these waste places parishioners sought the permission of the churchwardens to 'enclose and erect new seates'.¹¹ In a pew dispute from Leighton (Shropshire) in 1611, for example, the seat in question had allegedly been moved to a 'wast place' where an altar or arch once stood.¹² In a similar fashion, Robert Barnes built a new seat in Hayfield church (Derbyshire) in 1630 with the consent of the minister, churchwardens and inhabitants in what he described as a 'waste place' in the east end of the south side of the chapel.¹³

Over the early modern period, the building of private pews in churches gradually eroded these common spaces in the church. Indeed, the enclosure of common ground in the church often implied exclusion. When Dorothy Armitage built a pew on a small parcel of an alley in the nave in Warmfield church (Yorkshire, West Riding) in c.1667, for example, a dispute arose. The plaintiff in the case, Thomas Shepperd, alleged that Armitage placed 'place a door at the one end of' the pew 'and made up the other end of it with railes or boardes'. George Shilitoe, on the other hand, alleged that Armitage had erected a door over the alley and 'inclosed' the seats.¹⁴ Some parishioners even attempted to exclude others by placing locks on the doors to their pews. Others, like Robert Seacom of Liverpool (Lancashire) in 1693, insisted on their desire to keep the

¹¹ CRO EDC.5 (1639), 9: Chester, St. Michael.

¹² LRO B/C/5 1611: Leighton.

¹³ LRO B/C/5 1630: Hayfield.

¹⁴ BI CP.H 5548 c.1667: Warmfield.

church free from prescriptive and exclusive claims, alleging that he had no lock on the door to the seat, and that he did not exclude 'strangers' from sitting there.¹⁵

The upheavals of the 1620s and 1630s and the attendant alteration of the seating arrangement reflected the close link between the enclosure of the common fields and the enclosure of ritual space in the church in the minds and imaginations of parishioners. This is particularly evident in a pew dispute from St. Michael's, Chester in 1641. It was alleged that there had been a 'vacant place' on the east side of the chancel that had never been 'inclosed' but 'hath ever lyeth open'. It had been used for the 'interring of Coerses' awaiting burial, and for the 'setting of Chestes and Coffers in later tymes in respect the sayd Chancell is scanted of roome by the late inclosure of the Communion Table'. The dispute had allegedly arisen when William Parnell built a seat and 'incroached' eight inches over Henry Harpur's pew as a result of the alterations. Parnell had thereafter petitioned for the reversal of 'such unwarrantable Intrusions and Innovations'.¹⁶ Cases such as this suggest that the innovations of the 1630s had a profound impact upon local communities and upon the local social order in which they were encountered. These complex changes were then related by parishioners to the landscape and to the countryside around them.

Our understanding of the impact of the transformation of ritual and ecclesiastical space in the sixteenth and seventeenth centuries underlines the ability of quite humble people to recognise and interpret the changes occurring around them. As Matthew Johnson has suggested, 'the space and fabric of parish churches are a complex and

¹⁵ CRO EDC.5 (1693), 12: Liverpool.

¹⁶ BI CP.H 3893 1641: Chester, St. Michael.

sophisticated statement on religion, society and politics in the early modern period'.¹⁷ Indeed, our understanding of the politics of space in church as expressed in the records of pew disputes has enabled us to perceive more clearly how contemporaries attempted to negotiate their roles across a complex web of intersecting and overlapping hierarchies and thereby become agents in the recreation of the local social order. Whilst wealth was undoubtedly important to the representation of social status, status itself was a *compound* phenomenon that incorporated a number of factors including age, gender, reputation and officeholding. Furthermore, the analysis of the extent of popular acculturation of the hierarchy symbolised in the church-seating plan has emphasised that although there were those who chose to challenge the middling, male interpretation of the local social order, there were limits to their powers of negotiation. On the one hand, pew disputes are a powerful indicator of the notion that social relationships in the early modern period were complex and fluid. On the other, pew disputes also serve as a reminder that social relations were also governed by the realities of inequality and domination. In this context as in so many others, the 'negotiation of the public transcript did not take place between equals. Embedded in the public transcript were the interests of dominant groups, whose greater ability within the early modern power grid to determine the rates and forms of exchange between superiors and subordinates was reflected in that transcript'.¹⁸ The processes of inclusion and exclusion that structured early modern communities therefore reflected the inequalities of power. Whilst the poor, the young, and the marginal occasionally reacted against the pretensions and intrusions

¹⁷ Johnson, *An Archaeology of Capitalism*, p. 108.

¹⁸ Michael J. Braddick and John Walter, 'Introduction. Grids of power: order, hierarchy and subordination in early modern society', in Michael Braddick and John Walter (eds), *Negotiating Power*

of their betters, the placement of benches at the rear of the church, near to the belfry and distant from the pulpit and altar, suggest that the poor were to be put physically and symbolically in their marginal and dependent place. The enclosure of space in the church both for the erection of box pews and for the railing in of altars effectively 'hedged' out the poorer members of the community from the symbolic heart of the local social order.¹⁹ Contemporary perceptions of 'spatial disorder on the margins of society' sharpened these processes of inclusion and exclusion and ensured that the parish church and its seating plan played a prominent and active role in the process of economic and social change in early modern England.²⁰

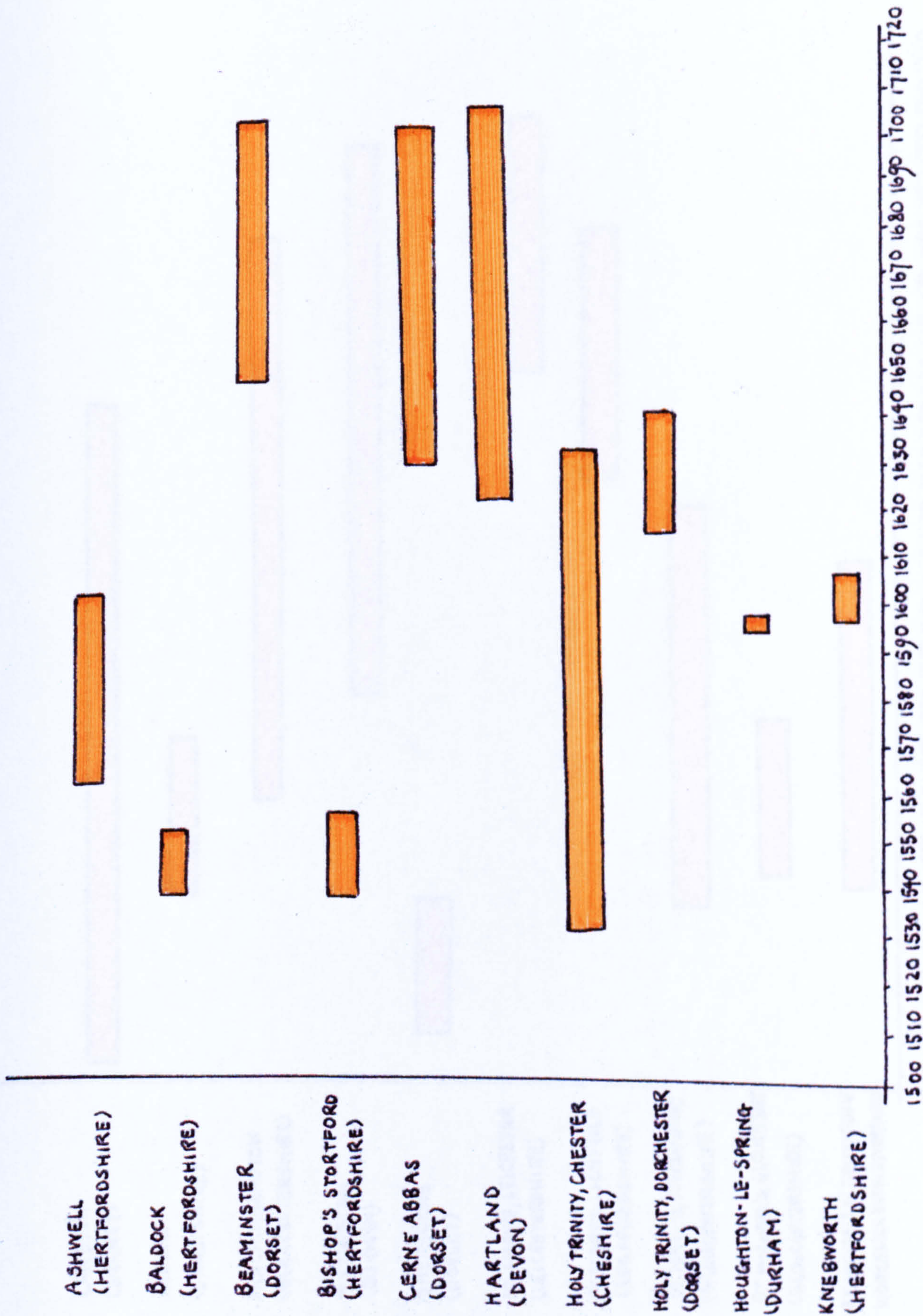
in Early Modern Society: Order, Hierarchy and Subordination in Early Modern England and Ireland (Cambridge, 2001), p. 41.

¹⁹ Hindle, 'A Sense of Place?', p. 110.

²⁰ Johnson, *An Archaeology of Capitalism*, p. 117.

Appendix 1

The Chronology of the Churchwardens' Accounts Considered: Alphabetically, by Parish



LAMBETH
(SURREY)



LUDLOW
(SHROPSHIRE)



MINCHINHAMPTON
(GLOUCESTERSHIRE)



PITTINGTON
(DURHAM)



SHERBORNE
(DORSET)



ST. MARY'S, LEICESTER
(LEICESTERSHIRE)



ST. MARY'S, LICHFIELD
(STAFFORDSHIRE)



ST. MARY'S, TEWKESBURY
(GLOUCESTERSHIRE)



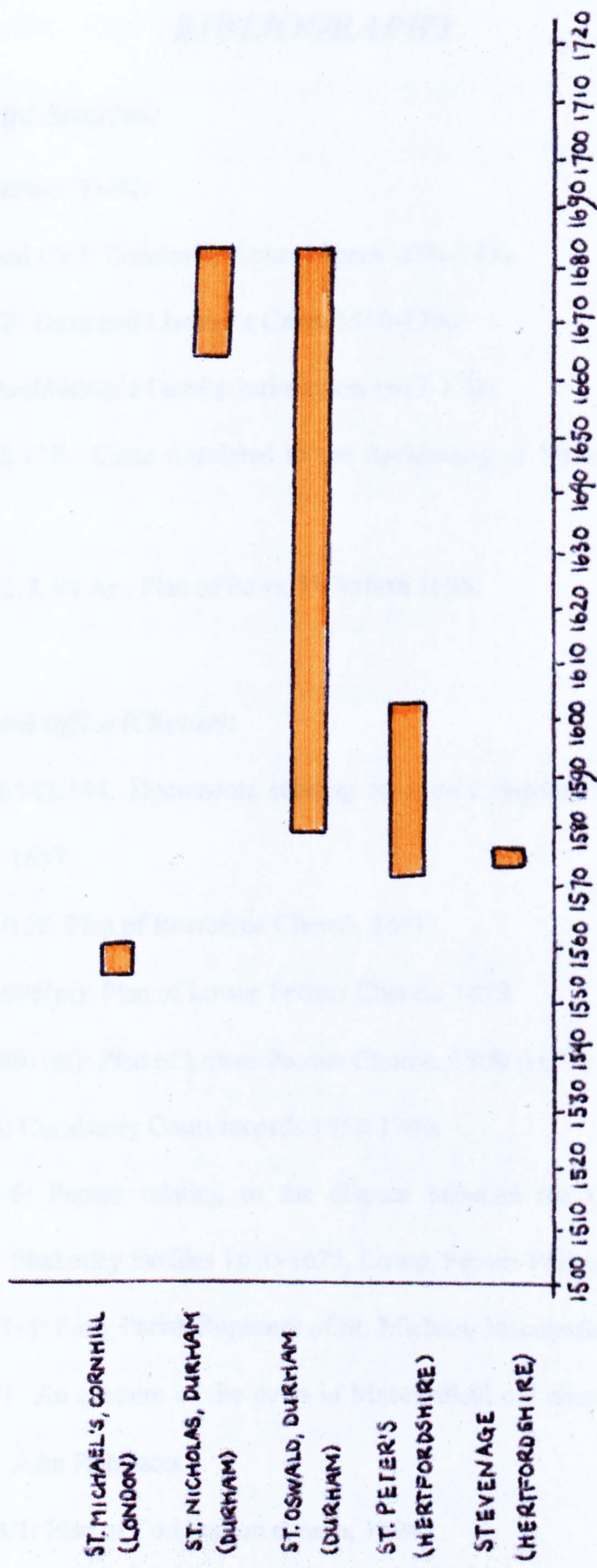
ST. MICHAEL'S, GLOUCESTER
(GLOUCESTERSHIRE)



ST. MICHAEL'S IN BEDFORDINE
WORCESTER (WORCESTERSHIRE)



1500 1510 1520 1530 1540 1550 1560 1570 1580 1590 1600 1610 1620 1630 1640 1650 1660 1670 1680 1690 1700 1710 1720



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TRANS C.P.: Cases translated to the Archbishop of York on appeal, 1550-1700.

REG 32. f. 94 Ar.: Plan of Pews, Holmfirth 1635.

Cheshire Record Office (Chester):

DLL 4/142-144: Documents relating to a pew dispute, Rostherne Church 1637.

DLL 4/152: Plan of Rostherne Church, 1637.

DLT 4996(pt): Plan of Lower Peover Church, 1639.

DSS 3991(pt): Plan of Lower Peover Church, 1708 (1639)

EDC.5: Consistory Court records 1550-1700.

P4/8/1-6: Papers relating to the dispute between the Cholmondeley and Shakerley families 1610-1625, Lower Peover Parish.

P85/1/1-4: Early Parish Registers of St. Michael, Macclesfield 1572-1696.

P85/7/1: An account of the pews in Macclesfield old church (1742) by Rev. John Robinson.

P264/4/1: Plan of Coddington church, 1694.

Dorset Record Office (Dorchester):

PE/CAT R/462 1/1: Cattstock Parish Register and Seating Plan, 1630.

PE/CEA CW 1/1-2: Cerne Abbas Churchwardens' Accounts 1628-1685, 1685-1700.

PE/COC CW 1/1-2: Corfe Castle Churchwardens' Accounts 1663-1760.

PE/COC CW 3: Corfe Castle Account Book 1661-1675.

PE/DO (H.T.) CW 1: Dorchester, Holy Trinity Churchwardens' Accounts 1614-1640, including Seating Plan 1617/18.

PE/FOL RE 1/1: Folke Parish Registers.

PE/SH VE1: Sherborne Book of Church Orders.

PE/SH CW 4/3/1: Plan of Pews, Sherborne, 1704.

PE/SH D/SCH/1472: Poor Rate Assessment, Sherborne, 1665.

Guildhall Library:

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